

2012

ANNUAL TOWN MEETING



WARRANT AND ANNUAL FINANCE COMMITTEE REPORT

TOWN OF NORTH ANDOVER, MASSACHUSETTS

Please Bring This Booklet With You!

THE TOWN OF NORTH ANDOVER

NORTH ANDOVER CITIZENS

The Town of North Andover wishes to take those steps that are necessary to ensure that no individual with a disability is excluded, denied services, segregated, or otherwise treated differently than other individuals because of the absence of auxiliary aids and/or services.

If you need any of the auxiliary aids or services identified in the “Americans With Disabilities Act” in order to participate at Town Meeting, please contact the Town Clerk’s Office at:

(978) 688-9502. Thank-you!

Voters will be checking in by last name. You will be given a Town Meeting Voting card and you need this to be able to vote. You will have had to be registered to vote by Wednesday, May 23, 2012. All voters who have registered to vote as of that date will be eligible to vote at the June 12, 2012 Annual Town Meeting. You may call the Town Clerk’s Office at (978)688-9502 to verify voter status or request a voter registration form.

Non voters must sign in, display a non-voter pin and sit in a designated section. If you require handicapped parking access or need special parking accommodations please call the Town Clerk’s Office for special arrangements.

We will make any arrangements available to assist with warrants and participation in our Town Meeting. Please do not hesitate to call us at (978)688-9502 or e-mail jbradshaw@townofnorthandover.com.



**2012
ANNUAL TOWN MEETING WARRANT**

**Annual Town Meeting June 12, 2012
7:00 P.M.
North Andover High School
430 Osgood Street**



ANNUAL FINANCE COMMITTEE REPORT TO VOTERS

"The North Andover Finance Committee, constituted as required by Massachusetts law and the North Andover Home Rule Charter, consists of a diverse group of citizens appointed by the Town Moderator to learn about, explain, and make recommendations on all aspects of municipal finance on behalf of the Town's residents."

Introduction

2012 Annual Finance Committee Report

The fiscal 2013 budgeting process has been one of great interest and challenge for the Finance Committee. Not only has the composition of the Committee changed but 2012 also saw a change in Town Manager and a movement of Town Meeting itself. Despite the Committee's review process being changed from prior years, the Committee has been able to fulfill its duties and in doing so create sensible and responsible guidance for the various decisions that need to be made.

We are unable to report to you that the fiscal 2013 operating budget shows no increase from the 2012-operating budget. Contractual obligations, continuing concerns and increases in healthcare and pension costs and our most recent actuarial valuation of our \$165 million unfunded employee retiree benefits continue to be major concerns in this budget. Often, savings in other areas could not offset these increases or address unfunded liabilities. However, no overrides are necessary to meet the proposed fiscal 2013-operating budget that is being proposed and presented to you for your collective approval.

It is our hope that as the future years' debt payments are satisfied, the reductions in principal and interest payments can be used, at least in part, to stabilize our town's tax rate. As long as contractual obligations and the increased funding of health and pension costs do not change, annual tax increases will continue indefinitely and the town will be forced to cut and reduce the overall services offered.

There are three items in the capital budget in particular that the Finance Committee feels further review is required before being able to recommend favorable action.

1. The first item relates to the Energy Performance Contracting and the request to borrow or otherwise finance \$4,383,076 to award the implementation of an energy savings initiative (Article 26). While the committee is in favor of the idea of energy savings, there are many concerns and questions as to the information that was presented to us. Is this the right time to enter into an agreement like this? Is this the appropriate structure as to the agreement and the costs? As a committee we see the importance of energy savings and

investments in our facilities, but have recommended unfavorable action due to our concerns that this article may not be a fiscally prudent means to achieve those goals.

2. The second item relates to the appropriation of \$350,000 in the proposed sewer capital budget (Article 25). This article asks specifically for funding to design the sewer extension project along the Route 125 corridor near Osgood Landing. This is only a small fraction of the total funding that will be required to engage, build, and complete the sewer project itself. At this time, the Committee has not been satisfied with the rationale for the funding of this project as it relates to the economic benefits derived from the new sewer service and anticipated development. We believe there is more work to do in regards to presenting the economic benefits of the project, the various uses that may develop along the corridor and the viability of future funding for construction once the design plans are completed.
3. The third item relates to the request for \$359,500 in funding to begin design work based upon the Facilities Master Plan Committee report. At this time the Committee has not been satisfied that all of the costs for this project have been identified and analyzed. However, we do recommend \$90,000 for the design of a gym at the Kittredge School should be approved.

With the adjournment of Town Meeting, the Finance Committee's work will not be completed. As a Committee, we feel that the mission and responsibilities continue, regardless of the starting and ending of each fiscal year. The size and complexity of the town's operations do not allow for a time when all of the committee's work will be complete – there is always another project or need for funding on the horizon.

As a Committee we hope that you find the enclosed explanations and recommendations helpful when deciding how to cast your vote. We wish you all the very best.

Respectfully Submitted,

North Andover Finance Committee

Alan LeBovidge, Chairman
Thomas R. Dugan, Vice Chairman
Peter Besen
Ramsey S. Bahrawy
Donald Elliot
Dan Leary
Robert Norbedo
Benjamin C. Osgood
Matthew Remis

TOWN MODERATOR'S REPORT

NORTH ANDOVER TOWN MEETING SIMPLIFIED RULES OF PARLIAMENTARY PROCEDURE

The purpose of Town Meeting is to establish and update the By-laws, operational policies, budgets and land use rules that govern our Town. North Andover's Open Town Meeting has been in force as our form of government since 1646. It represents the purest form of democracy in that every vote truly counts. Each registered voter is guaranteed an equal voice in the decisions made by the Meeting. In order to protect the sanctity of that vote, the North Andover Town Charter empowers the Town Moderator to establish the rules of Procedure under which Town Meeting is to be conducted. These rules are historically based on the traditions established by generations of North Andover citizens and by other New England communities, acting as legislators of their local governments.

Specific parliamentary rulings and conduct are governed) by the Moderator, using Massachusetts General Laws, the North Andover Charter, North Andover By-Laws, and local tradition as a guideline. The well-known "Roberts' Rules" are not applied and have no bearing on conduct of the meeting. Past Moderators have also utilized the book "*Town Meeting Time, A Handbook of Parliamentary Law*", published by the Massachusetts Moderators' Association, to provide guidance for unusual situations.

Town Meetings across the Commonwealth of Massachusetts are similar, but not identical, in the manner in which they are conducted. Local traditions can significantly affect a town's proceedings and help define the role and latitude of the Moderator. At North Andover Town Meetings we will endeavor to present all necessary information in an efficient and timely manner so that the most clarity can be afforded to voters, enabling them to make informed decisions. Voters, in turn, have a unique responsibility. Not only must they express, by vote, the decisions made based upon their own judgment and perspective, but also be cognizant of the effect their vote and/or decision has on all citizens of North Andover.

The rules of procedure for North Andover Town Meeting follow:

1. The first action required after the announcement of any **Article** on the Meeting's **Warrant** is that a **Main Motion** be proposed. The citizen sponsor of an article, Town Board sponsor, or Town Board with an affirmative recommendation, are likely movers of a main motion. The initial motion for the Town budget will be made by the Finance Committee. Any Town Board or voter may amend the motion for consideration and deliberation of the meeting.
2. All motions must be seconded by a voter other than the person offering the main motion, and only then may discussion and debate begin.
3. Any voter wishing to address the meeting must first gain the attention of the Moderator when no other speaker has the floor. Public microphones are available, where a speaker seeking to be recognized, being courteous to others and those next in line, will call out "Mr. Moderator..."

4. Once recognized by the Moderator, a speaker is given a turn to speak for up to five (5) minutes and must address the meeting on only the article currently under discussion. Voters not doing so or speaking in a disrespectful fashion may be suspended from speaking on the matter at the discretion of the Moderator. Additional time can be granted by assent of the meeting, by prior arrangement with the Moderator, and at the discretion of the Moderator. Questions are welcome, as well as statements endorsing a position. A voter with a question will take precedence over anyone stating an opinion of support or non-support for an article.
5. Speakers must introduce themselves using their full name and street address each time speaking at a session of Town Meeting.
6. Any person who has a financial interest in any article under discussion shall make a disclosure of that interest before speaking. Any person who is a spouse, parent, grandparent, child, brother or sister of a person who has a financial interest in an article shall also disclose such relationship before speaking. The employment, whether paid or unpaid, of any person acting as an attorney, engineer, architect, land surveyor, broker, consultant, agent or in any other capacity by a person interested in the article under discussion, shall be disclosed before that person speaks. Violation of such disclosure, or refusal to disclose the required information, if asked, shall result in revocation of the speaker's right to be heard on the matter then before Town Meeting. Disclosure is not generally required of voters who are utilizing and/or are beneficiaries of Town services such as, for example, public safety, public works and public utilities, or parents of children in public schools. However, if the speaker has a personal financial interest beyond what is reasonably available to all eligible citizens then disclosure is required.
7. Town employees, and/or appointed or elected officials are required to identify their position and whether or not they are speaking in an official capacity. Such identification shall satisfy the disclosure requirement in rule #6 unless there is a specific matter under discussion that does not involve their official capacity as an employee, appointed or elected official. A blanket initial identification, upon the first opportunity to speak, is acceptable for each session of the meeting unless the individual is not speaking in an official capacity. In such case, the speaker shall be compelled to make a disclosure.
8. All remarks should be addressed to and through the Moderator, for the benefit of all attendees. Direct questioning of others is not permitted. Questions may be directed, through the Moderator, to any petitioner, speaker or official and, if determined germane by the Moderator, the person asked will have the immediate opportunity to answer such query.
9. An **amendment**, changing or limiting the main motion, can be offered during the course of debate. The Moderator may rule an amendment out of order if it is beyond the scope of the warrant article. The Moderator will redirect the discussion to consider the proposed amendment once it is properly before the meeting. Specific wording of any proposed amendment must be made available in writing to

the Moderator and Town Clerk before it can be considered. The party proposing such motion shall concisely state, to the meeting, the consequence of the amendment on the existing main motion and/or article being considered. Should reference or context be necessary to provide the meeting with full understanding of the amendment then this shall be allowed at the Moderator's discretion.

10. Respectful deliberation and debate are fundamental to Town Meeting. The Moderator may seek to establish a time limit on a specific article as a guide to the meeting in order to budget time and discussion. The Moderator will discourage repetitious statements. In due course it will become apparent that sufficient information has been presented and voters are ready to make their decision and the Moderator shall so rule. Motions to move the question to a vote are in order and are not generally subject to debate. A motion to move the question requires a 2/3 vote for approval. At the Moderator's discretion, such motion may not be allowed and/or may be subject to debate, particularly if the motion to close debate would restrict informed consideration of the entire meeting and/or comes before an appropriate discussion has taken place on the main motion.
11. Votes are taken by two methods – voice (“Ayes” and “Nays”), or a counted vote (“show of hands”) – and declared to be complete by the Moderator when he announces the result. If the determination of a voice vote is doubted, a request by at least seven (7) voters, either rising or standing in place, will mandate the Moderator to request a counted vote.
12. Most issues will be decided by a simple majority of those voting. Issues requiring a two-thirds (2/3), four-fifths (4/5), or other majority will be clearly identified to the meeting at the time the article is presented and again at the time of the vote. Articles that require greater than majority votes may be taken by voice and/or a limited counted vote for the efficient conduct of the meeting. The Moderator will declare a *vote unanimous, if so understood*.

Glossary of Town Meeting Terms

Town Meeting

Town Meeting is the duly-called meeting in which all registered voters are eligible to participate. It is the Town's de facto legislature, where fiscal issues, zoning changes, by-law amendments, and other matters affecting the Town are decided. An Annual Town Meeting is held in the spring to decide issues for the following fiscal year, which begins in July. A Special Town Meeting may be called at any time to deal with issues that cannot wait for the next Annual Meeting. A Special Town Meeting is called by vote of the Selectmen or if two hundred (200) voters sign a petition requesting one.

Warrant

The Warrant is the official public notice of business to be considered at Town Meeting. It will be publicly posted throughout the Town, set a time and place for the meeting, and contain one or more articles. Once the warrant is opened by the Selectmen articles may be submitted until the stated deadline.

Article

An Article is the self-described characterization of an issue to be decided at the meeting and must be clearly defined by the petitioner or sponsor. The content of the article must be clearly and completely explained so that voters will fully understand the context and meaning of the article. The **scope** of each article sets the bounds of actions that may be taken. Amendments or motions outside the scope of issues and/or actions presented in the article at the time of posting of the Warrant may not be considered at the meeting. Articles are submitted by Town Boards or agencies, citizen petitions of ten (10) registered voters at Annual Town Meeting, or one hundred (100) registered voters at Special Town Meeting.

Main Motion

A main motion is required for the meeting to act on a given article and must be within its scope. It may be as simple as “To adopt the article, as printed in the warrant” or a more complex motion, as long as the article’s scope is not exceeded. A main motion must be made and seconded for discussion to proceed; a favorable recommendation from the **Finance Committee** will be taken as a main motion, to be then seconded by an individual at the meeting. Affirmative rather than negative main motions are preferred to avoid voter confusion.

Amendments

Amendments may be offered to a main motion, debated and then accepted or rejected. All amendments must be submitted to the Moderator in writing. Individual amendments will be considered in the normal course of business, in turn. Amendments to amendments will be actively discouraged and generally not allowed unless, in the Moderator’s discretion, it provides specific clarity to the issue under consideration. Upon all secondary motions having been voted, voters will return to discussion and vote on the main motion, whether amended or not.

Reconsideration

Reconsideration of an action under any single or multiple article(s) may be proposed only once upon the conclusion of any article and prior to the commencement of the next. Whether offered for reasons of clarity or tactic to preclude reconsideration of votes already taken, the introduction of a motion to reconsider should not be done lightly as once reconsideration is denied, the decision on an article cannot be reversed or altered. However, town By-law provides the Moderator discretion, for reasons which he shall state to the meeting, to allow a second motion for reconsideration of any action taken by any Town Meeting during that meeting or any previously adjourned session.

Adjournment

A motion of adjournment requires the meeting to convene at a certain future time, date and place.

Dissolution

Dissolution is the final act of a meeting. All issues will have concluded, and future discussion will require another separate meeting and duly posted warrant.

Responsible Parties:

Voters

Voters are the ultimate decision makers. Voted decisions are binding on the entire Town, including its elected officials, with the exception of resolutions or advisory articles.

Moderator

The Moderator is the person elected and responsible for the conduct of the meeting. Establishment of rules, procedural rulings, conduct of debate, and voting are vested solely in the Moderator.

Town Clerk

The Town Clerk is appointed by the Town Manager and is responsible for distributing notices of any Town Meeting, keeping all public records associated with the meetings, and producing the final recorded minutes of actions voted. The Town Clerk's minutes are the only tangible record of debate and voting, and are used in formal enactment of local By-law.

Selectmen

The Board of Selectmen is an elected body responsible for calling the meeting and setting the warrant. This executive board is often authorized by the meeting to act on the Town's behalf between Town Meetings and oversee its management through the appointed Town Manager.

School Committee

The School Committee is an elected body responsible for setting policy and directing management of the schools, through its appointed Superintendent of Schools.

Finance Committee

The Finance Committee is appointed by the Moderator and is responsible for specific recommendations to the Town Meeting on financial and certain other articles. This body of citizens has the obligation to investigate finance related articles proposed to the meeting and make independent recommendations in the best financial interest of the Town.

Planning Board

The Planning Board is appointed by the Town Manager and is responsible for administering the Town's Zoning By-law. This Board) is required to hold hearings and make recommendations on articles which affect zoning or environmental issues.

Town Counsel

Town Counsel is the Town's Attorney, appointed by the Selectmen. Town Counsel will make legal rulings and advise the meeting when that advice is needed.

Executives, Staff and Committees

Many other participants have strong interest in assuring the success of Town Meeting. They propose issues, explain interests and supply information to the voters. Included in this group are the Town Manager, Superintendent of Schools, Town Accountant, Department Heads, and various other Town Committees.

Operating Staff


Significant effort is made to properly organize and operate Town Meeting. Town staff and volunteers provide the necessary support to conduct each Town Meeting and include Registrars of Voters, Voter Check-in Clerks, Counters, Public Safety Officers and Facilities Personnel of the building in which the meeting is held.

Respectful Deliberation and Debate:

- It is asked that petitioners and follow-up speakers who address the meeting provide only new information in an effort to persuade undecided voters. Continued reiteration of previously heard information as a show of support takes time and does little to positively affect the outcome of a vote.
- Please refrain from applause or negative responses during discussions.
- Keeping remarks brief and relevant shows respect for the value of your neighbors' time. The most persuasive statements at Town Meeting are often those most succinctly stated, disclosing new facts or arguments in an effort to advance a position while retaining the audience's full attention.

Lastly, please see the Addendums below on Electronic and Visual Presentations as well as the Town By-laws that relate to Town Meeting.

Participation at Town Meeting is a unique tradition, one which differentiates New England towns from other regions of the country and from cities, and some towns, in our own Commonwealth. Town Meeting remains the most direct and inclusive form of participatory democracy ever utilized in any form of government on this earth. I invite you to contribute to this vital community conversation.



Mark S. DiSalvo
Town Moderator
1011 Great Pond Road
msdisalvo@yahoo.com
978 683-4396

Addendum A

Advisory on Electronic and Other Visual Presentations

Any speaker at Town Meeting wishing to utilize an electronic or other visual presentation must abide by this advisory as well as adhere to all rules regulating conduct of any speaker.

- The use of electronic/visual presentations are limited to provide necessary information that is not easily conveyed in verbal form, such as maps, graphs, charts and photos. The propriety of use is to improve the clarity of information given to the meeting. The Moderator will encourage consolidation of presentation material to benefit the attending voters, and to ensure balance during the debate.
- Electronic/visual presentations by Town agencies, with similar recommendations on an article, are encouraged to consolidate electronic/visual presentations into a single presentation. That presentation, scheduled with the Moderator at least one week prior to a Town Meeting, may utilize up to 15 minutes, with the intent that it will reduce the time needed for multiple presentations and follow-on comment and response. The deadline for submission of a presentation may be waived upon the Moderator's discretion.
- Electronic/visual presentations by any citizen must also be coordinated with the Moderator at least one week prior to Town Meeting.

All voters in attendance must be able to see and hear any presentation made, regardless of where they are seated in the venue. If this standard cannot be met then the presentation shall not be allowed as no voter, by happenstance of proximity to any presentation, shall have an advantage of more easily viewing any presentation over any other voter. Equipment availability is the responsibility of the petitioner/presenter. Technical assistance and arrangements for display equipment must be coordinated with the Town Clerk and Moderator, at least one week before the meeting. Computers, projectors and screens may be available. Use of an overhead projector is not allowed. Equipment malfunction or any other reason for lack of ability to use any planned electronic or other visual display will not invalidate consideration of the article or keep the body from considering the motion. It becomes the responsibility of the petitioner/presenter to present arguments in another form within the rules of the Town Meeting.

Addendum B

Town Bylaws Affecting Town Meeting Chapter 59

§ 59-1 Adjournment.

When a Town Meeting shall be adjourned to a time certain that is more than fourteen (14) days from the time of adjournment, the Town Clerk shall cause notice of the time and place of such adjourned meeting to be duly posted in three (3) or more public places in each precinct in the town two (2) days at least before the time of holding said adjourned meeting, which notice shall also briefly state the business to come before such meeting.

§ 59-2 Quorum.

There is no quorum requirement for Annual or Special Town Meetings.

§ 59-3 Reconsideration Vote.

Unless the Moderator shall otherwise rule, for reasons which he shall state to the meeting, no second motion for the reconsideration of any action taken by any Town Meeting shall be entertained during that meeting or any adjourned session thereof.

§ 59-4 Secret Ballots.

Upon motion duly made and seconded, at any Annual or Special Town Meeting, and upon the affirmative vote of at least twenty-five percent (**25%**) of the voters present at said Annual or Special Town Meeting, any Article in the warrant for said Annual or Special Town Meeting shall be voted upon by Australian (secret) ballot.

§ 59-5 Information Required for Consideration of Articles.

A. The sponsor of any Article requiring the raising and/or appropriation of town funds shall provide to the Town Manager and to the Finance Committee the following information:

- 1.** Total estimated dollar cost of the Article including:
 - a.** Start-up costs.
 - b.** Reoccurring annual costs, including any increase in personnel and/or equipment purchases.
 - c.** Source of estimate.
- 2.** Estimate of any possible revenues the project might generate.
- 3.** Proposed source and/or mechanism for funding.
- 4.** Reason(s) for the request, including but not limited to need.
- 5.** Population group most likely to benefit or be affected by the project.
- 6.** Possible alternatives to the requested proposal.
- 7.** Schedule or time frame for completion of the project.
- 8.** Any motions that would be introduced to support the Article as submitted.

B. This information shall be provided within two (**2**) days after the final fixed date for receiving Articles into the warrant for the Annual or any Special Town Meetings.

§ 59-6 Annual Town Meeting

Annual Town Meeting shall be held on the first Monday in May at 7:00 p.m.

In accordance with MGL Chapter 39, Section 9, which permits the Board of Selectmen to postpone by vote, an Annual Town Meeting, any such postponement shall be held on any weekday evening Monday through Thursday at 7:00 p.m. until all articles in the warrant have been acted upon.

§ 59-7 Votes to be Declared by the Moderator

The Moderator may take all votes requiring a two-thirds majority in the same manner in which he or she conducts the taking of a vote when a majority vote is required. The Moderator may take all votes requiring a two-thirds majority in the same manner in which he or she conducts the taking of a vote when a majority vote is required.

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Annual Town Meeting Warrant June 12, 2012

COMMONWEALTH OF MASSACHUSETTS

ESSEX, SS.

To either of the Constables of the Town of North Andover:

GREETINGS:

In the name of the Commonwealth of Massachusetts, and in compliance with Chapter 39 of the General Laws, as amended, and our North Andover Town Bylaws and requirements of the Town Charter, you are hereby directed to notify and warn the inhabitants of the Town of North Andover who are qualified to vote in Town affairs to meet at the North Andover High School, 430 Osgood Street, Tuesday June 12, 2012, at 7:00 PM then and there to act upon the following articles:

Article 1. Reports of Special Committees. To see if the Town will vote to hear the reports of any appointed special committees;

Or to take any other action relative thereto.

See Appendix A – Executive Summary for Facilities Master Plan Report.

Board of Selectmen

Board of Selectmen Recommendation:

Favorable Action

Vote Required: Majority Vote

CONSENT ARTICLES: ARTICLES 2, 3, 4 AND 5 MAY BE CONSIDERED BY A SINGLE VOTE, IF THERE IS NO OBJECTION (REQUIRES UNANIMOUS CONSENT)

Article 2. Reports of Receipts and Expenditures. To see if the Town will vote to accept the reports of receipts and expenditures as presented by the Selectmen in the 2011 Annual Town Report;

Or to take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation:

Favorable Action

Vote Required: Majority Vote

Article 3. Authorization of the Town Manager or Superintendent of Schools Regarding Contracts in Excess of Three Years. To see if the Town will vote in accordance with the provisions of Massachusetts General Laws Chapter 30B, Section 12(b), to authorize the Town Manager or the Superintendent of Schools to solicit and award contracts, except personnel contracts, for terms exceeding three years, including any renewal, extension or option, provided in each instance the longer term is determined to be in the best interest of the Town by vote of at least four (4) members of the Board of Selectmen or the School Committee, as appropriate;

Or to take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation:
Finance Committee Recommendation:

Favorable Action
Made At Town Meeting

Vote Required: Majority Vote

Article 4. Authorization to Accept Grants of Easements. To see if the Town will vote to authorize the Board of Selectmen and the School Committee to accept grants of easements for access, water, drainage, sewer, roadway and utility purposes on terms and conditions the Board and Committee deem in the best interest of the Town;

Or to take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation:
Planning Board Recommendation:

Favorable Action
Favorable Action

Vote Required: Majority Vote

Article 5. Authorization to Grant Easements. To see if the Town will vote to authorize the Board of Selectmen and the School Committee to grant easements for access, water, drainage, sewer, roadway and utility purposes on terms and conditions the Board and Committee deem in the best interest of the Town;

Or to take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation:
Planning Board Recommendation:

Favorable Action
Favorable Action

Vote Required: Two-third Vote (2/3 Vote)

Article 6. Amend General Bylaws-Add New Chapter-Chapter 103-Fingerprint-Based Criminal Record Background Checks. To see if the Town will vote to amend the General Bylaws of the Town of North Andover by adding a new chapter, Chapter 103 – Fingerprint-Based Criminal Record Background Checks to read as follows:

CHAPTER 103

FINGERPRINT-BASED CRIMINAL RECORD BACKGROUND CHECKS

Section 103-1 Purpose/Authorization

In order to protect the health, safety, and welfare of the inhabitants of the Town of North Andover, and as authorized by Chapter 256 of the Acts of 2010, this by-law shall require

a) applicants for certain Town licenses permitting the engagement in specific occupational activities within the Town as enumerated in Section 103.2 below to submit to fingerprinting by the North Andover Police Department,

b) the Police Department to conduct criminal record background checks based on such fingerprints, and

c) the Town to consider the results of such background checks in determining whether or not to grant a license.

The Town authorizes the Massachusetts State Police, the Massachusetts Department of Criminal Justice Information Systems (DCJIS), and the Federal Bureau of Investigation (FBI) as may be applicable to conduct on the behalf of the Town and its Police Department fingerprint-based state and national criminal record background checks, including of FBI records, consistent with this by-law. The Town authorizes the Police Department to receive and utilize FBI records in connection with such background checks, consistent with this by-law.

Section 103-2 Applicant's Submission to Fingerprinting by the North Andover Police Department

Any applicant for a license to engage in any of the following occupational activities within the Town shall submit a full set of fingerprints taken by the North Andover Police Department within ten (10) days of the date of the application for a license for the purpose of conducting a state and national criminal record background check to determine the suitability of the applicant for the license:

Liquor Licensee
Manager or Alternate Manager of a Liquor Licensee
Hawker and Peddler
Hackney Carriage (Taxi) Operator
Solicitors and Canvassers
Dealers in Junk, Second-Hand Articles and Antiques
Second-Hand Motor Vehicle Dealers
Ice Cream Truck Vendor

At the time of fingerprinting, the Police Department shall notify the individuals fingerprinted that the fingerprints will be used to check the individual's FBI criminal history records.

Section 103.3 Police Department Processing of Fingerprint-Based Criminal Record Background Checks and Communication of Results

The Police Department shall transmit fingerprints it has obtained pursuant to Section 103-2 of this by-law to the Identification Section of the Massachusetts State Police, DCJIS, and/or the FBI as may be necessary for the purpose of conducting fingerprint-based state and national criminal records background checks of license applicants specified in Section 103-2.

As further detailed in the Town's policy applicable to Town licensing-related criminal record background checks, the Police Department shall provide the applicant with a copy of the results of his or her fingerprint-based criminal record background check and supply the applicant the opportunity to complete, or challenge the accuracy of, the information contained in it, including in the FBI identification record. The Police Department shall also supply applicants with information regarding the procedures for obtaining a change, correction, or updating of a criminal record, including a copy of 28 C.F.R. Part 16.34 pertaining to FBI identification records. In no event shall the Police Department render a suitability evaluation pursuant to the paragraph below until it has taken the steps detailed in this paragraph and otherwise complied with the Town's policy applicable to Town licensing-related criminal record background checks.

The Police Department shall communicate the results of fingerprint-based criminal record background checks to the applicable licensing authority within the Town. The Police Department shall in addition render to the licensing authority its evaluation of the applicant's suitability for the proposed occupational activity based upon the results of the criminal records background check and any other relevant information known to it. In rendering its evaluation, the Police Department shall consider all applicable laws, regulations and Town policies bearing on an applicant's suitability. The Police Department shall indicate whether the applicant has been convicted of, or is under pending indictment for, a crime that bears upon his or her suitability or any felony or misdemeanor that involved force or threat of force, controlled substances or a sex-related offense.

Chapter 103-4 Reliance on Results of Fingerprint-Based Criminal Record Background Checks

Licensing authorities of the Town shall utilize the results of fingerprint-based criminal record background checks for the sole purpose of determining the suitability of the subjects of the checks in connection with the license applications specified in Section 103-2. A Town licensing authority may deny an application for a license on the basis of the results of a fingerprint-based criminal record background check if it determines that the results of the check render the subject unsuitable for the proposed occupational activity. The licensing authority shall consider all applicable laws, regulations and Town policies bearing on an applicant's suitability in making this determination. The licensing authority shall not deny a license based on information in a criminal record unless the applicant has been afforded a reasonable time to correct or complete the record or has declined to do so.

Chapter 103-5 Compliance with Law, Regulation, and Town Policy

Implementation of this by-law and the conducting of fingerprint-based criminal record background checks by the Town shall be in accordance with all applicable laws, regulations, and Town policies, including, but not limited to, the Town's policy applicable to licensing-related criminal record background checks. The Town shall not disseminate the results of fingerprint-based criminal background checks except as may be provided by law, regulation, and Town policy. The Town shall not disseminate criminal record information received from the FBI to unauthorized persons or entities.

Section 103.6 Fees

The fee charged by the Police Department for the purpose of conducting fingerprint-based criminal record background checks shall be set by the Board of Selectmen. A portion of the fee, as specified in Mass. Gen. Laws Chapter 6, Section 172B ½, shall be deposited into the Firearms Fingerprint Identity Verification Trust Fund, and the remainder of the fee may be retained by the Town for costs associated with the administration of the fingerprinting system.

Or to take any other action relative thereto.

Town Manager

Board of Selectmen Recommendation:

Favorable Action

Vote Required: Majority Vote

EXPLANATION: On August 6, 2010, the Governor signed into law Chapter 256 of the Acts of 2010, "An Act Reforming the Administrative Procedures Relative to Criminal Offender Record Information and Pre-and Post-Trial Supervised Release." Section 23 of this new law, which takes effect on May 4, 2012, adds Chapter 6 Section 172B ½ to the Massachusetts General Laws and creates an umbrella statute which municipal officials may enact ordinances (synonymous with "bylaw") to require state and national criminal history record checks of applicants for licenses in specified occupations.

Adoption of this bylaw is recommended by the Chief of Police to establish this bylaw.

Article 7. Amend Chapter 69-7.1- Fire Alarms -Connection Fee of the General Bylaws.

To see if the Town will vote to amend Chapter 69 Section 7.1 by deleting the language shown as stricken:

Chapter 69 Section 7.1

Each alarm user shall on or before October 1st of each year remit to the Fire Department a service fee for the coming year for Master Fire Alarm Boxes and Digital Alarms. The fees shall be established by the Board of Selectmen.

~~Those properties that convert to a radio control Master Box that is compatible with the North Andover Fire Department receiver shall no longer be billed under the existing fee structure, once the radio box is properly installed and functioning as approved by the North Andover Fire Department.~~ In accordance with the Town by-law the Board of Selectmen can establish fees, at any time, which reflect the costs of service provided.

Fire alarm system devices owned by the Town of North Andover shall be exempt from the provisions of Sections 69-7 and 69-7.1.

Until a new fee is established by the Board of Selectmen, the Town shall continue to charge the same fees that were in effect immediately prior to the effective date of this bylaw.

Chapter 69 Section 7.1 as amended to read:

Each alarm user shall on or before October 1st of each year remit to the Fire Department a service fee for the coming year for Master Fire Alarm Boxes and Digital Alarms. The fees shall be established by the Board of Selectmen.

In accordance with the Town by-law the Board of Selectmen can establish fees, at any time, which reflect the costs of service provided.

Fire alarm system devices owned by the Town of North Andover shall be exempt from the provisions of Sections 69-7 and 69-7.1.

Until a new fee is established by the Board of Selectmen, the Town shall continue to charge the same fees that were in effect immediately prior to the effective date of this bylaw.;

And further that the non-substantive changes to the numbering of this bylaw by the Town Clerk be permitted in order that it be in compliance with the numbering format of the Zoning Bylaws of the Town of North Andover.

Or to take any other action relative thereto.

Fire Chief

Board of Selectmen Recommendation:

Favorable Action

Vote Required: Majority Vote

EXPLANATION: This article would allow the Board of Selectmen to set appropriate fees for services provided by the Fire Department.

Article 8. Amend General Bylaws-Chapter 59 Section 6 – Annual Town Meeting Date.

To see if the Town will vote to amend the General Bylaws for the Town of North Andover Chapter 59 Section 6 by deleting the stricken text as follows:

§ 59-6 Annual Town Meeting

~~Annual Town Meeting shall be held on the first Monday in May at 7:00 p.m.~~ **The Board of Selectmen shall vote to set the date of the Annual Town Meeting in accordance with Chapter 39 Section 9 of Massachusetts General Laws,**

~~In accordance with MGL Chapter 39, Section 9,~~ which permits the Board of Selectmen to postpone by vote, an Annual Town Meeting, any such postponement shall be held on any weekday evening Monday through Thursday at 7:00 p.m. until all articles in the warrant have been acted upon.

Section 59-6, as amended, to read as follows:

The Board of Selectmen shall vote to set the date of the Annual Town Meeting in accordance with Chapter 39 Section 9 of Massachusetts General Laws which permits the Board of Selectmen to postpone by vote, an Annual Town Meeting. Any such postponement shall be held on any weekday evening Monday through Thursday at 7:00 p.m. until all articles in the warrant have been acted upon.

And further that the non-substantive changes to the numbering of this bylaw by the Town Clerk be permitted in order that it be in compliance with the numbering format of the Zoning Bylaws of the Town of North Andover.

Or to take any other action relative thereto.

Town Clerk

Board of Selectmen Recommendation:

Favorable Action

Vote Required: Majority Vote

EXPLANATION: This article would allow the Board of Selectmen to set the date of the Annual Town Meeting under the guidelines of Chapter 39 Section 9 of the General Laws.

Article 9. Acceptance of Massachusetts General Laws Chapter 59 Section 5K – Senior Work Program. To see if the Town will vote to accept the provisions of MGL Chapter 59, Section 5K, authorizing the continuation of a Senior Citizen Property Tax Work-off Program, and further to allow an approved representative, for persons physically unable, to provide such services to the Town and to authorize the Board of Selectmen to adopt regulations for implementing this program consistent with the intent of the statute;

Or to take any other action relative thereto.

Town Manager

Board of Selectmen Recommendation:

Favorable Action

Finance Committee Recommendation:

Favorable Action

Vote Required: Majority Vote

EXPLANATION: The following is the relevant statute - Massachusetts General Laws Chapter 59 Section 5K – Senior Work Program:

Section 5K. In any city or town which accepts the provisions of this section, the board of selectmen of a town or in a municipality having a town council form of government, the town council or the mayor with the approval of the city council in a city may establish a program to allow persons over the age of 60 to volunteer to provide services to such city or town. In exchange for such volunteer services, the city or town shall reduce the real property tax obligations of such person over the age of 60 on his tax bills and any reduction so provided shall be in addition to any exemption or abatement to which any such person is otherwise entitled and no such person shall receive a rate of, or be credited with, more than the current minimum wage of the commonwealth per hour for services provided pursuant to such reduction nor shall the reduction of the real property tax bill exceed \$1,000 in a given tax year. It shall be the responsibility of the city or town to maintain a record for each taxpayer including, but not limited to, the number of hours of service and the total amount by which the real property tax has been reduced and to provide a copy of such record to the assessor in order that the actual tax bill reflect the reduced rate. A copy of such record shall also be provided to the taxpayer prior to the issuance of the actual tax bill. Such cities and towns shall have the power to create local rules and procedures for implementing this section in any way consistent with the intent of this section.

In no instance shall the amount by which a person's property tax liability is reduced in exchange for the provision of services be considered income, wages, or employment for purposes of taxation as provided in chapter 62, for the purposes of withholding taxes as provided in chapter 62B, for the purposes of workers' compensation as provided in chapter 152 or any other applicable provisions of the General Laws, but such person while providing such services shall be considered a public employee for the purposes of chapter 258, but such services shall be deemed employment for the purposes of unemployment insurance as provided in chapter 151A.

A city or town, by vote of its legislative body, subject to its charter, may adjust the exemption in this clause by: (1) allowing an approved representative, for persons physically unable, to provide such services to the city or town; or (2) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year, rather than \$1,000.

Article 10. Adopt the Provisions of Massachusetts General Law Chapter 60, Section 3D-Elderly Disabled Tax Fund. To see if the Town will vote to adopt the provisions of Massachusetts General Law Chapter 60 Section 3D-Elderly Tax Fund;

Or to take any other action relative thereto.

Town Manager

Board of Selectmen Recommendation:
Finance Committee Recommendation:

Favorable Action
Favorable Action

Vote Required: Majority Vote

EXPLANATION: The following is the relevant statute - Massachusetts General Law Chapter 60 Section 3D-Elderly Tax Fund:

Section 3D. A city or town which accepts the provisions of this section is hereby authorized, subject to the approval of the commissioner, to design and designate a place on its municipal tax bills, or the motor vehicle excise tax bills, or to mail with such tax bills a separate form, whereby the taxpayers of said city or town may voluntarily check off, donate and pledge an amount not less than \$1 or such other designated amount which shall increase the amount otherwise due, and to establish a city or town aid to the elderly and disabled taxation fund for the purpose of defraying the real estate taxes of elderly and disabled persons of low income.

Any amounts donated to said fund shall be deposited into a special account in the general treasury and shall be in the custody of the treasurer. The treasurer shall invest said funds at the direction of the officer, board, commission, committee or other agency of the city or town who or which is otherwise authorized and required to invest trust funds of the city or town and subject to the same limitations applicable to trust fund investments, except as otherwise specified herein. The fund, together with the interest earned thereon shall be used for the purpose specified in this section without further appropriation.

In any city or town establishing an aid to the elderly and disabled taxation fund, there shall be a taxation aid committee to consist of the chairman of the board of assessors, the city or town treasurer and three residents of the city or town to be appointed by the mayor or board of selectmen as the case may be. Said board shall adopt rules and regulations to carry out the provisions of this section and to identify the recipients of such aid.

Article 11. Petition the General Court -Rescind the Acceptance of Massachusetts General Law Chapter 31 Section 47-DPW Labor Service. To see if the Town will vote to instruct its representatives to the General Court to file special legislation for the purpose of exempting laborer, skilled laborer, mechanic and craftsman worker titles from civil service. Said Act shall read:

AN ACT EXEMPTING THE POSITIONS OF LABORER, SKILLED LABORER, MECHANIC AND CRAFTSMAN IN THE TOWN OF NORTH ANDOVER FROM THE PROVISIONS OF THE LABOR SERVICE LAW.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the positions of laborer, skilled laborer, mechanic and craftsman in the Town of North Andover shall be exempt from the provisions of Chapter 31 of the General Laws.

SECTION 2. The provisions of Section 1 shall not impair the labor service status of any person holding the position of laborer, skilled laborer, mechanic or craftsman in the Town of North Andover on the effective date of this act.

SECTION 3. This act shall take effect upon its passage.

Or to take any other action relative thereto.

Town Manager

Board of Selectmen Recommendation:

Favorable Action

Vote Required: Majority Vote

Article 12. Reduction of Community Preservation Act Surcharge. To see if the Town will vote as follows:

Should we, the tax payers of North Andover, reduce the Community Preservation Act surcharge?

The CPA was enacted in 2002 at the maximum of 3%. The state matched dollar for dollar. Since that time, many projects benefiting the town have been completed – protection of our drinking water, assisting in renovations of the Town Hall, Steven’s Estate, the Senior Center and more at a cost of 21 million tax dollars.

Due to the downturn in the economy, the State has reduced their matching amount to .26 cents on the dollar. Is it time to follow the Commonwealth lead and reduce our spending?

The CPA surcharge is an additional cost on your real estate tax bill. Should we reduce the surcharge from 3% to a more reasonable 1 and 1/2%?

**Petition of William P.
Callahan and others**

Board of Selectmen Recommendation:

Unfavorable Action

Finance Committee Recommendation:

Unfavorable Action

Planning Board Recommendation:

Unfavorable Action

Vote Required: Majority Vote

FINANCE COMMITTEE EXPLANATION: The Community Preservation Act is a tool authorized by the Legislature to assist communities preserve open space, historic sites, create affordable housing and develop recreation opportunities. Since adoption by North Andover with a 2/3rds vote of Town Meeting in 2001, the adoption of this local 3% surcharge has generated over \$11 million in local revenue and \$8 million in matching funds from the state. These funds have allowed North Andover to complete numerous projects from protecting watersheds, stabilizing historical structures and building new parks. The Finance Committee has voted unfavorable action on this article since the funds are an important tool to improve the quality of life in our community. Our hope is that the Legislature will identify an option to increase the important matching funds provided to municipalities that have adopted the CPA.

Article 13. Petition the General Court - Special Act - Change in Liquor Quota-All Alcoholic Beverages for Package Stores-LaBottega,LLC 1820 Turnpike Street. To see if the Town will vote to Petition the Legislature to allow the North Andover Licensing Authority to override the provisions of Massachusetts General Law Chapter 138 Section (17) (Number of licenses quotas; licenses for wine and malt beverages per population unit; additional licenses; estimates of increased population; decrease in quota due to loss in population; determination of population city or town.) for the increase in the number of All Alcoholic Beverages Licenses for Package Stores by one (1) for La Bottega, LLC,Angela Paolini Manager, 1820 Turnpike Street North Andover, Massachusetts 01845.

Or to take any other action relative thereto.

**Petition of Angela Paolini
and others**

Board of Selectmen Recommendation:

Favorable Action

Vote Required: Majority Vote – Hand Count Votes are Taken if Not Unanimous

Article 14. Petition the General Court-Amend Charter for the Town of North Andover-Amend Chapter 8-Section 1 – Town Election Date. To see if the Town will vote to amend Chapter 8 Section 1 Paragraph 8-1-1of the Charter for the Town of North Andover to read:

The regular election for all town offices shall be by official ballot held on the second Tuesday in June of each year: or to take any other action relative thereto.

Or to take any other action relative thereto.

**Petition of George Vozeolas
and others**

Board of Selectmen Recommendation:

Unfavorable Action

Vote Required: Majority Vote – Hand Count Votes are Taken if Not Unanimous

Article 15. Petition the General Court-Amend Charter for the Town of North Andover-Amend Chapter 8-Section 3-1 – Procedures. To see if the Town will vote to petition the General Court to amend the Town Charter for the Town of North Andover by adding the underlined language and deleting the stricken text as follows:

Section 3 Procedures

2-3-1 The town meeting shall meet ~~regularly between April twenty eighth and May twenty eighth,~~ as specified in the town by-laws and in accordance with Massachusetts General Laws Chapter 39 Section 9 to consider and adopt an annual operating and capital budget, and to act on other matters. The meeting shall be continued on other days, until all articles in the warrant have been acted upon.

Or to take any other action relative thereto.

Town Clerk

Board of Selectmen Recommendation:

Favorable Action

Vote Required: Majority Vote – Hand Count Votes are Taken if Not Unanimous

EXPLANATION: This legislation is being proposed to change the North Andover Town Charter that originally had dates included. At the time of the charter enactment these dates were consistent with the statute. Having the charter be in accordance with Massachusetts General Law Chapter 39 Section 9 will be consistent with any future changes in the statute.

Article 16. Compensation of Elected Officials. To see if the Town will vote to fix the salary and compensation of the elected officers of the Town, as provided by Section 108 of Chapter 41 of the Massachusetts General Laws as follows:

Board of Selectmen/Licensing Commissioners, per person, per annum	\$5,000
Chairman of Board of Selectmen, per annum, in addition	\$500
School Committee, per person, per annum	\$5,000
Chairman, School Committee, per annum, in addition	\$500
Moderator, For Annual Town Meeting	\$500
For each Special Town Meeting	\$250

Or to take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation:

Favorable Action

Finance Committee Recommendation:

Favorable Action

Vote Required: Majority Vote

FINANCE COMMITTEE EXPLANATION: In 2006, Annual Town Meeting passed a Citizen's Petition to remove health insurance benefits for elected officials, at a substantial saving to the town. The 2007 Annual Town Meeting voted an increase in the salary and compensation of elected officials.

This article seeks to maintain the current level of salary and compensation of elected officials.

Article 17. Prior Years Unpaid Bills. To see if the Town will vote to authorize payment of the following unpaid bills from prior years, by respective departments, using appropriations of the current fiscal year;

**Prior Year Invoices
Fiscal Year 2011**

<u>Vendor</u>	<u>Amount</u>	<u>Department</u>
Heidi Janson	576.86	School
NCS Pearson	875.58	School
NRTBUS, Inc	592.05	School
Ready 2 Learn	4,042.50	School
Verizon (3 bills Aug, Sept, Oct)	883.01	School
W B Mason	378.46	School
	7,348.46	

Or to take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation:
Finance Committee Recommendation:

Favorable Action
Favorable Action

Vote Required: **Four-fifths (4/5 Vote)**

FINANCE COMMITTEE EXPLANATION: Any prior year bills brought forward before Town Meeting will be included in this article. Typically, the current year's budget provides the money to pay such past bills. This type of Article has a special voting requirement of 4/5th at an Annual Town Meeting.

Article 18. Establishment of Revolving Funds. To see if the town will vote to authorize the following revolving funds for certain Town departments under Massachusetts General Laws, Chapter 44, Section 53E ½ for the Fiscal Year beginning July 1, 2012;

Revolving Fund Accounts					
Account Number	Revolving Fund	Authorized to Spend	Use of Funds	Revenue Source	FY 2013 Limit
2031204	Wheelabrator Planning	Director - Community Development	Air quality monitoring	Wheelabrator Host Community Agreement	\$ 35,000
2031205	Wheelabrator Public Safety	Director - Community Development	To enforce Trash Truck regulations	Wheelabrator Host Community Agreement	\$ 20,000
2031207	Health Dept - Food Inspections	Director - Community Development	Food Consultant fees and expenses related to program	Inspection Fees	\$ 20,000
2031208	Health Dept - Septic Inspections	Director - Community Development	Septic Consultant fees and expenses related to program	Inspection Fees	\$ 15,000
2031210	Field Maintenance	Director - Division of Public Works	Field maintenance, upgrade and related expenses	Field rental fees, Grants, Donations, and related Fundraising proceeds	\$ 10,000
2031211	Health Dept Revolving	Director - Community Development	clinic supplies and other related materials	Clinic participant fees, Grants, Donations, and related Fundraising proceeds	\$ 30,000
2031213	Youth and Recreation Services Revolving	Assistant Town Manager	All programs and activities, expense, part time help	Participants' fees, Grants, Donations, and related Fundraising proceeds	\$ 260,000
2031217	Elder Services - COA Revolving	Assistant Town Manager	Senior programs, classes and activities	Participants' fees, Grants, Donations, and related Fundraising proceeds	\$ 20,000
	Stormwater Bylaw	Director - Community Development	Review, test and inspect Stormwater reports	Review Fees	\$ 50,000

Revolving Fund Account Receipts and Expenditures								
Account Number	Revolving Fund	Balance 7/1/10	FY11 Receipts	FY11 Expenditures	Balance 06/30/11	Receipts thru 04/30/12	Expenditures thru 04/30/12	Balance
1 2031204	Wheelabrator Planning	\$ 65,628	\$ 25,000	\$ (24,552)	\$ 66,075	\$ 25,000	\$ (15,070)	\$ 76,005
2 2031205	Wheelabrator Public Safety	\$ 35,764	\$ 13,140	\$ (10,718)	\$ 38,185	\$ 12,700	\$ (2,220)	\$ 48,665
3 2031206	Wheelabrator Health	\$ 18,988	\$ -	\$ (18,988)	\$ -	\$ -	\$ -	\$ -
4 2031207	Health Dept - Food Inspections	\$ 57,825	\$ 24,295	\$ (11,201)	\$ 70,919	\$ 24,392	\$ (12,219)	\$ 83,092
5 2031208	Health Dept - Septic Inspections	\$ 12,684	\$ 16,440	\$ (12,467)	\$ 16,657	\$ 11,505	\$ (13,888)	\$ 14,274
6 2031210	Field Maintenance	\$ 22,868	\$ 1,750	\$ (8,603)	\$ 16,015	\$ 5,850	\$ (4,495)	\$ 17,369
7 2031211	Health Dept Revolving	\$ 17,237	\$ 15,423	\$ (20,531)	\$ 12,129	\$ 14,139	\$ (25,133)	\$ 1,135
8 2031213	Youth and Recreation Services Revolving	\$ 270,720	\$ 268,349	\$ (266,110)	\$ 72,959	\$ 157,457	\$ (86,583)	\$ 43,833
9 2031217	Elder Services - COA Revolving	\$ 1,917	\$ 23,540	\$ (21,550)	\$ 3,907	\$ 28,014	\$ (19,817)	\$ 12,104

Or to take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation:
Finance Committee Recommendation:

Favorable Action
Favorable Action

Vote Required: Majority Vote

FINANCE COMMITTEE EXPLANATION: This article authorizes the revolving funds shown above for certain Town departments under Massachusetts General Laws, Chapter 44, Section 53E 1/2 for the Fiscal Year beginning July 1, 2012 and ending June 30, 2013.

Generally these funds are supported by fees, fines or other assessments levied by the town or individual departments for services or programs provided to the public or customers. All of the accounts have been established for specific purposes. The Finance Committee is supportive of these appropriations, but continues to note concern regarding the available balances in these funds. We encourage management to review the purposes of these funds, and by February 1st of 2013, provide a written plan to reduce these available balances by allocating the proceeds of these funds to either allowable programs or other services in need of funding.

Article 19. Amend General Fund Appropriation For Fiscal Year 2012. To see if the Town will vote to amend the General Fund Appropriation for Fiscal Year 2012 as voted under Article 18 of the 2011 Annual Town Meeting;

Increase Education by \$65,000 for a revised total of \$36,981,601

Decrease Snow and Ice Removal by \$57,000 for a revised total of \$695,448

Decrease Support Services by \$65,000 for a revised total of \$1,132,064

Increase Health and Human Services by \$57,000 for a revised total of \$1,039,289

And further to:

General Fund Appropriation	Amount Voted Under Article 18 06/07/11		Revised Total
	ATM	Amendment	
GENERAL GOVERNMENT	2,182,398	0	2,182,398
PUBLIC SAFETY	8,806,071	0	8,806,071
EDUCATION	36,916,601	65,000	36,981,601
SNOW AND ICE REMOVAL	752,448	-57,000	695,448
PUBLIC WORKS	3,276,521	0	3,276,521
HEALTH & HUMAN SERVICES	982,289	57,000	1,039,289
CULTURE & RECREATION	828,357	0	828,357
SUPPORT SERVICES	1,197,064	-65,000	1,132,064
DEBT SERVICE	7,217,435	0	7,217,435
EMPLOYEE BENEFITS	14,173,346	0	14,173,346
LIABILITY INSURANCE	301,030	0	301,030
CAPITAL & RESERVES	0	0	0
FINANCE COMMITTEE RESERVE	0	0	0
GREATER LAW TECH SCHOOL	243,594	0	243,594
SCHOOL BUILDING COMMITTEE	900	0	900
Total Town Meeting Appropriation	76,878,055	0	76,878,055

Or to take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation:

Favorable Action

Finance Committee Recommendation:

Favorable Action

Vote Required: Majority Vote

FINANCE COMMITTEE EXPLANATION: This article seeks to transfer monies from accounts with surpluses to accounts with deficits for FY2012. The result of an affirmative or yes vote will move monies to accounts that are now known to require funds and reduces or eliminates the need to carry forward deficits into the FY2013 budget.

Article 20. General Fund Appropriation-Fiscal Year 2013. To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum or sums of money for the purpose of funding the General Fund for the Fiscal Year beginning July 1, 2012 and ending June 30, 2013;

	Fiscal Year 2012 RECAP	Fiscal Year 2013 Department Request	Fiscal Year 2013 Board of Selectmen & Town Manager Recommend	Fiscal Year 2013 Finance Committee Recommends
Revenues & Other Financing Sources				
Operating Revenues				
Property Taxes	60,626,359	61,425,652	61,425,653	61,425,653
Local Receipts	8,283,153	8,802,274	8,794,774	8,794,774
State Aid	8,550,612	8,550,612	9,242,059	9,242,059
Operating Transfers	1,463,962	1,525,864	1,525,864	1,525,864
Total Operating Revenues	78,924,086	80,304,402	80,988,350	80,988,350
Other Fin. Sources				
Free Cash	0	0	250,000	250,000
Overlay Surplus	0	0	0	0
Others one time revenues	327,328	95,000	95,000	95,000
Total Other Fin Sources	327,328	95,000	345,000	345,000
Total Opr. Rev. & Fin Sources	79,251,414	80,399,402	81,333,350	81,333,350
Operating Expenses				
<u>GENERAL GOVERNMENT</u>				
Town Moderator	825	825	825	825
Selectmen/ Town Manager	288,341	310,637	315,943	315,943
Asst. Town Manager	77,685	48,717	49,556	49,556
Human Resources	48,427	79,779	81,383	81,383
Town Accountant	231,271	216,519	220,738	220,738
Finance Committee	795	795	795	795
Treasurer/Collector	296,368	299,081	297,657	297,657
Assessing	304,315	305,365	296,940	296,940
Legal	200,000	200,000	185,000	185,000
Town Clerk	310,435	345,361	334,937	334,937
Community Development	198,896	201,186	222,199	222,199
Planning	108,004	109,353	110,205	110,205
Conservation	83,832	86,733	85,938	85,938
Board of Appeals	33,204	34,853	34,763	34,763
	2,182,398	2,239,204	2,236,879	2,236,879

	Fiscal Year 2012 RECAP	Fiscal Year 2013 Department Request	Fiscal Year 2013 Board of Selectmen & Town Manager Recommend	Fiscal Year 2013 Finance Committee Recommends
<u>PUBLIC SAFETY</u>				
Police Department	4,210,920	4,663,534	4,338,534	4,338,534
Fire Department	4,322,554	4,561,744	4,437,921	4,437,921
Public Safety Salary Reserve	0	0	209,471	209,471
Inspectional Services	251,255	266,872	252,898	252,898
Emergency Management	21,342	21,342	21,475	21,475
	8,806,071	9,513,492	9,260,299	9,260,299
<u>EDUCATION</u>				
N A Public School	36,916,601	38,306,096	38,284,841	38,284,841
	0	0	0	0
	36,916,601	38,306,096	38,284,841	38,284,841
<u>PUBLIC WORKS</u>				
Administration	391,948	399,642	406,937	406,937
Street & Sidewalks	793,820	800,404	781,804	781,804
Solid Waste/Recycling	1,293,975	1,268,638	1,268,638	1,268,638
Fleet Maintenance	274,238	276,380	276,380	276,380
Structures & Grounds	522,540	538,411	534,611	534,611
Snow & Ice Removal	752,448	750,448	752,448	752,448
	4,028,969	4,033,923	4,020,818	4,020,818
<u>HEALTH & HUMAN SERVICES</u>				
Health Department	215,835	197,026	203,845	203,845
Elder Services	242,863	249,004	249,369	249,369
Youth Service	243,197	269,676	257,142	257,142
Veterans Service	280,394	364,564	371,369	371,369
	982,289	1,080,270	1,081,725	1,081,725
<u>CULTURE & RECREATION</u>				
Stevens Library	828,357	860,860	852,230	852,230
Festivals Committee	0	0	0	0
Recreation	0	0	0	0
Historical Commission	0	0	0	0
	828,357	860,860	852,230	852,230
<u>SUPPORT SERVICES</u>				
Outside Auditing	60,000	57,000	57,000	57,000
Purchasing	48,876	47,877	49,016	49,016
Information Technology	988,188	922,422	932,586	932,586
Structures and Grounds	100,000	100,300	97,239	97,239
	1,197,064	1,127,599	1,135,841	1,135,841

	Fiscal Year 2012 RECAP	Fiscal Year 2013 Department Request	Fiscal Year 2013 Board of Selectmen & Town Manager Recommend	Fiscal Year 2013 Finance Committee Recommends
<u>DEBT SERVICE</u>				
Excluded - Principal - Long Term	2,564,856	1,399,856	1,399,856	1,399,856
Excluded - Interest - Long Term	540,924	440,710	440,710	440,710
Excluded - Interest - Short Term	0	0	0	0
Included - Principal - Long Term	3,428,765	3,814,474	3,814,474	3,814,474
Included - Interest - Long Term	682,889	636,633	636,633	636,633
Included - Interest - Short Term	0	0	0	0
	7,217,434	6,291,673	6,291,673	6,291,673
<u>EMPLOYEE BENEFITS</u>				
Retirement Assessment	3,002,779	3,186,990	3,186,990	3,186,990
Workers Comp	250,000	303,702	303,702	303,702
Unemployment Compensation	200,000	200,000	200,000	200,000
Group Insurance	10,045,567	10,949,668	10,746,804	10,746,804
Payroll Taxes	600,000	600,000	600,000	600,000
Police & Fire Accident & Sickness Inc.	75,000	75,000	90,000	90,000
	14,173,346	15,315,360	15,127,496	15,127,496
<u>LIABILITY INSURANCE</u>				
	301,030	337,154	337,154	337,154
Regional Schools	243,594	250,168	250,168	250,168
School Building Committee	900	900	0	0
	244,494	251,068	250,168	250,168
<u>Total Non - Departmental Cost</u>	21,936,304	22,195,255	22,006,491	22,006,491
Annual Town Meeting Vote	76,878,053	79,356,699	78,879,124	78,879,124
<u>CAPITAL & RESERVES</u>				
Finance Committee Reserve	0	0	0	50,000
Transfer to Capital Stabilization Fund	0	0	25,000	0
Transfer to OPEB Liability Trust Fund	0	0	25,000	0
Transfer to Stabilization Fund	0	0	200,000	200,000
Deficits (Snow and Ice)	0	0	0	0
Deficits (overlay)	32,415	0	0	0
Deficits (Stevens Estate)	0	0	0	0
Overlay	459,973	450,000	450,000	450,000
	492,388	450,000	700,000	700,000

	Fiscal Year 2012 RECAP	Fiscal Year 2013 Department Request	Fiscal Year 2013 Board of Selectmen & Town Manager Recommend	Fiscal Year 2013 Finance Committee Recommends
<u>STATE ASSESSMENTS</u>				
Special Education	4,602	0	0	0
Mosquito Control	85,849	90,126	90,126	90,126
Retired Teachers Health Insurance	1,405,517	1,316,435	1,316,435	1,316,435
Air Pollution Districts	8,484	8,849	8,849	8,849
Regional Transit	172,662	184,305	184,305	184,305
RMV Non Renewal Surcharge	20,640	19,800	19,800	19,800
School Choice	64,036	20,000	20,000	20,000
Charter School Assessment	70,095	39,861	39,861	39,861
Essex County Agricultural Assessment	49,087	74,850	74,850	74,850
	1,880,972	1,754,226	1,754,226	1,754,226
General Fund Budget	79,251,414	81,560,924	81,333,350	81,333,350

**AND TO FURTHER TRANSFER TO THE
GENERAL FUND**

FROM SPECIAL REVENUE - \$ 137,889
 GLSD
 FROM SPECIAL REVENUE - \$ 64,200
 COMM PROG
\$ 202,089

Or to take any other action relative thereto,

Board of Selectmen

Board of Selectmen Recommendation:
Finance Committee Recommendation:

Favorable Action
Favorable Action

Vote Required: Majority Vote

MOTION: MOVE TO RAISE AND APPROPRIATE FUNDS FOR THE FISCAL YEAR 2013 AS FOLLOWS:

	Fiscal Year 2013 Board of Selectmen & Town Manager Recommend	Fiscal Year 2013 Finance Committee Recommends
GENERAL GOVERNMENT	2,236,879	2,236,879
PUBLIC SAFETY	9,260,299	9,260,299
NORTH ANDOVER SCHOOLS	38,284,841	38,284,841
SNOW AND ICE REMOVAL	752,448	752,448
ALL OTHER PUBLIC WORKS	3,268,370	3,268,370
HEALTH AND HUMAN SERVICES	1,081,725	1,081,725
CULTURE AND RECREATION	852,230	852,230
SUPPORT SERVICES	1,135,841	1,135,841
DEBT SERVICE	6,291,673	6,291,673
EMPLOYEE BENEFITS	15,127,496	15,127,496
LIABILITY INSURANCE	337,154	337,154
CAPITAL AND RESERVES	0	0
FINANCE COMMITTEE RESERVE	0	50,000
GREATER LAWRENCE TECH SCHOOL	250,168	250,168
SCHOOL BUILDING COMMITTEE	0	0
FOR A TOTAL APPROPRIATION OF	78,879,124	78,929,124

FINANCE COMMITTEE EXPLANATION: This article is the fiscal year 2013 appropriation of funds for the Town of North Andover. This annual budget is a declaration of our Town's priorities – a statement on how we choose to allocate the limited collective resources that exist. The operating budget enables the day-to-day operation functioning of the town by paying for recurring expenditures for programs and services, employee salaries, rents, utilities, supplies, insurance and debt service. The Library, Schools, Police Department, Fire Department, Elder Services and dozens of other town departments rely on this funding to provide services to you on a daily basis. The level of funding, and the choice of how we allocate that funding at Town Meeting determines the level of services that visitors, residents and businesses receive in the coming year.

The operating budget receives local aid from the Commonwealth, our local taxes (property, excise and business) and other fees collected by the Town. All town activities, not specifically directed to other accounts such as Water or Sewer Enterprise Funds, are funded through this budget. As a result, most of the Town's operating expenditures are paid through this appropriation.

FINANCE COMMITTEE RECOMMENDATION CONTINUED:

Rather than being asked to vote on each line item, Town Meeting is being asked to votes on various sub-totals (bolded lines in the above schedule) reflecting the overall budget for each Town department. By approving the sub-totals, rather than individual line items, the town manager will have spending flexibility within those programs so long as the Town Manager does not exceed the sub-total amount for the department. A majority of the Town Meeting has the right to vote on individual line items (or in fact, further subdivide them) if so (although this would limit the Town Manager's budget flexibility).

As noted in our cover letter, the Finance Committee has agreed with the recommendations of the Board of Selectman, except in the following area.

We have transferred the recommended appropriations to the OPEB (Other Post Employment Benefits Liability Trust Fund) and the Capital Stabilization Fund to the Finance Committee Reserve. The Finance Committee Reserve is an account designed to provide management with liquidity to address deficits or emergencies as they occur during the fiscal year without the need for calling a Special Town Meeting. The Committee has not undertaken this decision lightly. In regards to the OPEB appropriation, \$25,000 is less than 0.00015% of the estimated \$165 million outstanding liability for retiree health benefits and costs. When faced with such an immense liability, this symbolic appropriation, while important, is ultimately financially futile. The Committee believes that these funds can be used more effectively to address existing program needs and encourages management to work with our legislative delegation to find a solution to address our outstanding liability. Regarding our decision to transfer the \$25,000 Capital Stabilization Fund appropriation, the Committee does not see a compelling reason to build a reserve without the corresponding capital plan to spend these funds. If needed for emergency repairs or unforeseen program expenses, the Committee can release the funds appropriated to the Finance Committee Reserve in a timely and cost effective manner.

The Committee also encourages the Board of Selectmen and the Town Manager to control expenses. On average, this budget recommends a 3.5% increase in costs when compared to the previous fiscal year. All efforts must be made to use tax and non-tax revenue efficiently. Our predicative model continues to indicate that labor costs beyond 1% are not sustainable, yet the reality is that all collective bargaining agreements are far from that number. We encourage the Board of Selectmen and the School Board to challenge management to require all departments to come in under budget, possibly by as much as 2%, through the use of improved purchasing, labor management and other tools at their disposal. Critical life safety and other programs should be exempt from this goal. To place this goal into context, a 2% savings in the operating budget yields \$1.6 million. This is sufficient funding to address a number of critical shortfalls and needs within our community.

Finally, we wish to note that as you review this budget and listen to the presentations at Town Meeting, it is ultimately you the taxpayer who funds this budget. We encourage you to ask questions and, if available, respectfully request that the Board of Selectmen provide the preliminary, estimated personnel and business tax rates necessary to support this budget at Town Meeting.

Article 21. Water Enterprise Fund Appropriation Fiscal Year 2013. To see if the Town will vote to appropriate the amount of \$5,119,516 in aggregate, for the purpose listed under column "FY13 Recommendation: Town Manager, Board of Selectmen" for the Fiscal Year beginning July 1, 2012 and ending June 30, 2013; without regards to individual line items, and to operate the Water Enterprise Fund, that \$5,119,516 be raised from Water receipts and from these receipts \$747,571 be transferred to the General Fund;

WATER ENTERPRISE			
	Fiscal Year 2012 Budget	Department Request	<u>Fiscal Year 2013 Recommendation</u> Town Manager Board of Selectmen
Personnel	644,965	711,494	718,903
Expense	1,475,384	1,469,719	1,454,719
Debt Service	2,299,716	2,198,323	2,198,323
Sub-Total Direct Expenditures	4,420,065	4,379,536	4,371,945
Admin/Indirect	705,722	747,571	747,571
Total Water Enterprise	5,125,787	5,127,107	5,119,516

Board of Selectmen

Board of Selectmen Recommendation:
Finance Committee Recommendation:

Favorable Action
Favorable Action

Vote Required: Majority Vote

FINANCE COMMITTEE EXPLANATION: The purpose of this article is to fund the Water Enterprise Fund. The fund is supported by water usage charges, which according to the Town Manager, will likely increase to support this appropriation of funds.

The water rate is set by the Board of Selectman and is established based on the total expenses of the department, including debt service, direct and indirect expenses and the consumption of water by the users. Indirect costs are associated with the Division of Public Works supervision, General Government costs and fringe benefits that are related to the operation of the Water Department and are expensed through the General Fund, or operating budget. An affirmative or yes vote will ensure the operation of the water department according to projected needs. As noted previously, we respectfully request that the Board of Selectmen provide the preliminary, estimated rates necessary to support this budget at Town Meeting.

Article 22. Sewer Enterprise Fund Appropriation-Fiscal Year 2013. To see if the Town will vote to appropriate the amount of \$4,873,303 in aggregate, for the purpose listed under the column “FY13 Recommendation: Town Manager, Board of Selectmen” for the Fiscal Year beginning July 1, 2012 and ending June 30, 2013; without regards to individual line items, and to operate the Sewer Enterprise Fund, that \$4,873,303 be raised from sewer receipts and from these receipts \$529,744 be transferred to the General Fund for indirect expenses;

SEWER ENTERPRISE			<u>FY13</u>
	FY12	Department	<u>Recommendation</u>
	Budget	Request	Town Manager
			Board of Selectmen
Personnel	592,222	505,273	509,732
Expense	294,900	307,176	292,175
GLSD Assessment	1,725,000	1,811,000	1,541,247
Settlement	56,000	0	0
Debt Service	2,048,481	2,000,405	2,000,405
Sub-Total Direct			
Expenditures	4,716,603	4,623,854	4,343,559
Admin/Indirect	471,554	529,744	529,744
Total Sewer Enterprise	5,188,157	5,153,598	4,873,303

Or to take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation:

Favorable Action

Finance Committee Recommendation:

Favorable Action

Vote Required: Majority Vote

FINANCE COMMITTEE EXPLANATION: The purpose of this article is to fund the Sewer Enterprise Fund. The fund is supported by sewer usage charges, which according to the Town Manager, will likely increase to support this appropriation of funds.

The water rate is set by the Board of Selectman and is established based on the total expenses of the department, including debt service, direct and indirect expenses and the use of sewer services by residents and businesses. Indirect costs are associated with the Division of Public Works supervision, General Government costs and fringe benefits that are related to the operation of the Water Department and are expensed through the General Fund, or operating budget. An affirmative or yes vote will ensure the operation of the department according to projected needs. As noted previously, we respectfully request that the Board of Selectmen provide the preliminary, estimated rates necessary to support this budget at Town Meeting.

Article 23. Stevens Estate at Osgood Hill Enterprise Fund Appropriation Fiscal Year 2013. To see if the Town will vote to appropriate the amount of \$266,928 in aggregate, for the purpose listed under the column "FY13 Recommendation: Town Manager, Board of Selectmen" for the Fiscal Year beginning July 1, 2012 and ending June 30, 2013; without regards to individual line items, and to operate the Stevens Estate at Osgood Hill Enterprise Fund that \$266,928 be raised from Stevens Estate at Osgood Hill Fund and from these receipts \$46,460 be transferred to the General Fund for indirect expenses.

STEVENS ESTATE AT OSGOOD HILL ENTERPRISE			<u>FY13</u> <u>Recommendation</u> Town Manager Board of Selectmen
	FY12 Budget	Department Request	
Personnel	107,087	110,000	100,000
Expense	163,275	159,978	120,468
Debt Service	0	0	0
Sub-Total Direct Expenditures	270,362	269,978	220,468
Admin/Indirect	46,460	46,460	46,460
Total Stevens Estate Enterprise	316,822	316,438	266,928

Or to take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation:
Finance Committee Recommendation:

Favorable Action
Favorable Action

Vote Required: Majority Vote

FINANCE COMMITTEE EXPLANATION: The purpose of this article is to appropriate funds to operate the Stevens Estate at Osgood Hill. Fees charged to individuals and groups using the facility and grounds for private events support the Estate.

Article 24. Amend Capital Improvement Plan Appropriations from Prior Years. To see if the Town will vote to amend the Capital Improvement Plan Appropriation from Fiscal Year 2012 voted by the Town under Article 27 at the 2011 Annual Town Meeting to decrease the original appropriation and bonds authorized for item 12, “Atkinson School Window Replacement” of \$1,277,000 by \$226,600, such that the revised total appropriation and bonds authorized for item 12 are \$1,010,400, and that the total appropriation and bonds authorized under Article 27 are reduced accordingly;

Or to take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation:

Favorable Action

Finance Committee Recommendation:

Favorable Action

Vote Required: Majority Vote

FINANCE COMMITTEE EXPLANATION: This article seeks to amend the amount of borrowing authorized for the replacement of windows at the Atkinson School in a previous year Capital Investment Plan. This is a technical correction to the appropriation based on updated spending projections. Since this is a decrease in requested funding, the amendment does not increase our projected debt service costs nor does it impact the availability of funding for municipal or school programs.

Article 25. Capital Improvement Plan Appropriation Fiscal Year 2013. To see if the Town will vote to fund the Capital Improvement Program as listed under the heading "Board of Selectmen/Town Manager Recommend" and with the language included:

FY13 CIP Recommendations				
Line #	Project Description	Fund Code	BOS , Town Manager Recommend	Finance Committee Recommends
1	Roadways	B/N-G	\$ 476,700	\$ 476,700
2	Sidewalk Reconstruction	B/N-G	\$ 50,000	\$ 50,000
3	Building Maintenance	B/N-G	\$ 50,000	\$ 50,000
4	Replace Fire Chief's Vehicle	B/N-G	\$ 34,000	\$ 34,000
5	Replace Mobile Data Terminals	B/N-G	\$ 90,258	\$ 90,258
6	General IT	B/N-G	\$ 40,000	\$ 40,000
7	School Dept IT	B/N-G	\$ 165,098	\$ 165,098
8	Design Work (Central Office & Kittredge School Gym) –Finance Committee-Gym Only	B/N-G	\$ 359,500	\$ 90,000
General Fund Total			\$ 1,265,556	\$ 996,056
9	Water Main Replacement	B/N-W	\$ 573,000	\$ 573,000
10	Water Meter Installation	B/N-W	\$ 60,000	\$ 60,000
11	Flocculation & Sedimentation Building	B/N-W	\$ 65,000	\$ 65,000
12	Concrete Repairs and Coating	B/N-W	\$ 97,000	\$ 97,000
Water Enterprise Fund Total			\$ 795,000	\$ 795,000
13	Rea's Pond Sewer Pump Station Replacement	B/N-S	\$ 250,000	\$ 250,000
14	School St & Bunkerhill Sewer Replacement	B/N-S	\$ 100,000	\$ 100,000
15	Osgood St Sewer Preliminary Design	B/N-S	\$ 300,000	\$ 0
Sewer Enterprise Fund Total			\$ 650,000	\$ 350,000

*** Fund Codes spelled out below**

Funding Recommendation	Code	Totals	
Raise and Appropriate - General Fund	R&A-G	\$ -	
Raise and Appropriate - Water Enterprise	R&A-W	\$ -	
Raise and Appropriate - Sewer Enterprise	R&A-S		
Bonds/Notes - General Fund	B/N-G	\$ 1,265,556	\$ 996,056
Bonds/Notes - Water Enterprise	B/N-W	\$ 795,000	\$ 795,000
Bonds/Notes - Sewer Enterprise	B/N-S	\$ 650,000	\$ 350,000
Unexpended Bond Proceeds (Sewer Enterprise)		\$ (650,000)	\$ (350,000)
Total All Capital Projects (New Borrowing)		\$ 2,060,556	\$ 1,791,056

that to meet this appropriation:

(1) The Treasurer with the approval of the Board of Selectmen is authorized to borrow \$2,060,556 under chapter 44 of the Massachusetts General Law or any other enabling authority.

(2) The appropriation for items 13 and 14 above in the amount of \$650,000 shall be funded with the transfer from the following project in the amount set forth below,
said sum represents excess bond proceeds not needed for the completion of the project:

Amount	Project	Date/Article Number	Date Bonded
\$ 650,000	Waverly Road Relief Sewer Main	2008 / Art 21 Sec 23	6/1/2008

Finance Committee Motion:

Or to take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation:

Finance Committee Recommendation:

Planning Board Recommendation:

Favorable Action

Favorable Action

Vote Required: Two-third (2/3) Vote

FINANCE COMMITTEE EXPLANATION: A capital improvement plan is a major, non-routine expenditure for new construction, major equipment purchase, or improvement to existing buildings, facilities, land or infrastructure with an estimated useful life of five years or more, and a cost of \$25,000 or more. Items in this plan are funded by debt; the Town will issue bonds of 10, 15 or 20 years (depending upon the project) and pay principal and interest payments over that term. The bonds may be general obligation (funded by the general tax levy) or special obligation (funded by water or sewer rates).

In reviewing the proposed projects, the Finance Committee relied on the Town Manager's criteria formula to rank and prioritize the projects funded for the next year. In all cases but two, we have agreed that the use of debt to finance the purchase of software, equipment and other improvements is prudent and warranted. As a Committee we have voted unfavorably on the following two items, for the reasons noted:

The second item relates to the appropriation of \$300,000 in the proposed sewer capital budget (Article 25). This article asks specifically for funding to design the sewer extension project along the Route 125 corridor near Osgood Landing. This is only a small fraction of the total funding that will be required to engage, build, and complete the sewer project itself. At this time, the Committee has not been satisfied with the rationale for the funding of this project as it relates to the economic benefits derived from the new sewer service and hoped for development. We believe there is more work to do in regards to presenting the economic benefits of the project, the various uses that may develop along the corridor and the viability of future funding for construction once the design plans are completed.

The third item relates to the request for \$359,500 in funding to begin design work based upon the Facilities Master Plan Committee report. At this time the Committee has not been satisfied that all of the costs for this project have been identified and analyzed. However, we do recommend \$90,000 for the design of a gym at the Kittredge School should be approved.

There is a possibility that recommendations or amounts on this page may change before Town Meeting as additional information becomes available. If necessary, an update will be handed out at Town Meeting.

Article 26. Energy Services Company Project Funding. To see if the Town will vote to raise and appropriate \$4,383,076 by bonding or otherwise to make improvements to school and town building as identified in the Energy Audit prepared by Ameresco, Inc. and detailed in the Appendix B of the printed Warrant, and to meet this appropriation, the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$4,383,076;

Or to take any other action relative thereto.

Town Manager

Board of Selectmen Recommendation:
Finance Committee Recommendation:
Planning Board Recommendation:

Favorable Action
Unfavorable Action

Vote Required: Two-thirds (2/3) Vote

FINANCE COMMITTEE EXPLANATION: This article relates to the Energy Performance Contracting and the request to borrow or otherwise finance \$4,383,076 to award the implementation of an energy savings initiative. While the committee is in favor of the idea of energy savings, there are many concerns and questions as to the information that was presented to us. Is this the right time to enter into an agreement like this? Is this the appropriate structure as to the agreement and the costs? As a committee we see the importance of energy savings and investments in our facilities, but have recommended unfavorable action due to our concerns that this article may not be a fiscally prudent means to achieve those goals.

Article 27. Sale of Public Buildings-Bradstreet School Main Street. To see if the Town will vote to transfer the care, custody, management and control of the land and building formerly known as the Bradstreet School and located on Main Street, North Andover, identified on the Town's Assessor's maps as: Map 29, Block 23, Lot 0, from the Board of Selectmen for the purposes for which such land is currently held to the Board of Selectmen for the purposes of sale of the building and to authorize the Board of Selectmen to sell the parcel of land per the provisions of Massachusetts General Law Chapter 30B, and further that the Board of Selectmen approve any other restrictions, including restrictions on use, that are in the best interests of the Town and that would effectuate the purposes of providing the maximum benefit to the Town from the proposed sale of the property, upon such terms and conditions as the Board of Selectmen may deem appropriate and necessary;

Or to take any action relative thereto.

Town Manager

Board of Selectmen Recommendation:
Finance Committee Recommendation:

Favorable Action
Favorable Action

Vote Required: Two-third (2/3) Vote

FINANCE COMMITTEE EXPLANATION: This article requests the authority of Town Meeting for the Board of Selectman to dispose of the vacant Bradstreet School. The Finance Committee is supportive of this article, noting that the sale of this building will provide one-time revenues that may be applied to important and necessary capital investments. If passed, we encourage the Board of Selectmen to move prudently, but expeditiously, with the disposition of this unused facility.

Article 28. Amend Article 29 2011 Annual Town Meeting – Community Preservation Fund BAN Authorization. To see if the Town will vote to amend the vote taken on Article 29 of the 2011 Annual Town Meeting Warrant under “Principal Repayment: Windrush Farm” from \$638,000 to \$659,648 to pay principal and interest and to raise, borrow, transfer and/or appropriate from the Community Preservation Fund, in accordance with the provisions of Massachusetts General Laws Chapter 44B, this sum of money;

Or to take any other action relative thereto.

Town Manager

Board of Selectmen Recommendation:

Favorable Action

Finance Committee Recommendation:

Favorable Action

Planning Board Recommendation:

Favorable Action

Vote Required: Majority Vote

FINANCE COMMITTEE EXPLANATION: This article seeks to amend the amount of borrowing authorized for this program in a previous year Capital Investment Plan. This is a technical correction to the appropriation based on updated spending projections. Since this is funded through the Community Preservation Act Fund, the amendment does not impact the availability of funding for municipal or school programs.

Article 29. Report of the Community Preservation Committee and Appropriation From the Community Preservation Fund. To receive the report of the Community Preservation Committee and to see if the Town will vote to raise, borrow, transfer and/or appropriate from the Community Preservation Fund, in accordance with the provisions of Massachusetts General Laws Chapter 44B, a sum of money to be spent under the direction of the Community Preservation Committee;

List of Appropriations – Community Preservation Fund

Description	Amount	Category
Stevens Estate: Restoration of exterior walls (Phase I)	\$206,200	Historical Preservation
Stevens Estate: Window replacement (Phase III)	\$101,300	Historical Preservation
Restoration of historical town records (Phase V)	\$40,000	Historical Preservation
Stevens Library: Refurbishment of main door	\$22,000	Historical Preservation
Old Burying Ground: Refurbishment of grave stones (Phase II)	\$20,000	Historical Preservation
Ridgewood Cemetery: Restoration of main gate	\$15,000	Historical Preservation
Town Monuments: Assessment and restoration of historical town statues and monuments	\$15,000	Historical Preservation
Veteran's Housing: Replacement and restoration of siding, steps, doors and bulkheads	\$475,000	Affordable Housing
Foulds Terrace: Replacement and refurbishment of windows and doors	\$375,000	Affordable Housing
623 Osgood Street: Purchase of fee interest in approximately 15.2 acres of open field and woodlands adjoining the Town's Osgood Hill and Half Mile Hill properties, plus closing costs and parking area construction expenses (final purchase price not to exceed appraised value of property; total cost to be reduced by amount of any government grants or private contributions)	\$1,400,000	Open Space Protection
Open Space: Update of Open Space Plan	\$25,000	Open Space Protection
Administrative Costs	\$30,000	Administrative and Operating Expenses
Total Appropriations	\$2,724,500	

Or to take any other action relative thereto.

**Community Preservation
Committee**

Board of Selectmen Recommendation:
Finance Committee Recommendation:
Planning Board Recommendation:

Favorable Action
Favorable Action
Favorable Action

Vote Required: Majority Vote

FINANCE COMMITTEE EXPLANATION: The Community Preservation Act (CPA) addresses community issues such as acquisition and preservation of open space, creation and support of affordable housing, acquisition and preservation of historic buildings and landscapes, and creation and support of recreational opportunities. The CPA was adopted at a Special Town Meeting in January 2001, and by the voters at the following Town Election in March of the same year. As adopted, it levies a 3% surcharge on property taxes with two exemptions: \$100,000 of the value of every residential property, and a complete exemption on property owned and occupied by people who qualify for low-income housing or low- or moderate-income senior housing.

State matching funds are disbursed each October for the preceding fiscal year. The CPA was required to remain in effect for at least five years, an obligation that was met from FY'02 to FY'06. Surtaxes must continue until all debt has been retired. The process for revoking or reducing the surcharge is the same as that used for adoption (Town Meeting followed by Ballot Election).

The Community Preservation Committee (CPC) annually recommends how funds should be spent or set aside for future spending among the allowable categories of a) open space; b) historic preservation; c) affordable housing; and d) land for recreational use, with a minimum of 10% required in each of the first three categories. In addition, a maximum of 5% may be spent on administrative expenses by the CPC. Town Meeting may either approve or reduce the recommended expenditures, but cannot add to them.

North Andover received matching funds equal to \$389,014 or 29.49% in FY12 from the Commonwealth. Legislation is being discussed that will increase the matching funds for municipalities.

Article 30. Appropriation from Federal Early Retirement Reinsurance Program to the Health Insurance Trust Fund. To see if the Town will vote to appropriate \$153,653.70 from the Federal Early Retirement Reinsurance Program (ERRP Grant) to the Health Insurance Trust Fund;

Or to take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation:
Finance Committee Recommendation:

Favorable Action
Favorable Action

Vote Required: Majority Vote

FINANCE COMMITTEE EXPLANATION: This article seeks to transfer funding from a federal grant to the Town's Health Insurance Trust Fund. This is a technical appropriation required to transfer funds from the federal government to the fund used to support municipal and school employee health insurance costs.

Article 31. Capital Stabilization Account. To see if the Town will vote to create a special purpose stabilization fund to be known as the Capital Stabilization Fund, which fund shall be used for the purpose of funding any capital-related project or the purchase or acquisition of capital equipment, or payment of debt service related thereto, as authorized by MGL Chapter 40, Section 5B as amended, and for that purpose, to raise and appropriate or transfer from available funds a sum of money to such fund;

Or take any other action relative thereto.

Town Manager

Board of Selectmen Recommendation:
Finance Committee Recommendation:

Favorable Action
Unfavorable Action

Vote Required: Two-third (2/3) Vote

Article 32. Transfer to Stabilization. To see if the Town will vote to transfer funds into the Stabilization Fund;

Or to take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation:
Finance Committee Recommendation:

Favorable Action
Favorable Action

Vote Required: Two-third (2/3) Vote

FINANCE COMMITTEE EXPLANATION: This article seeks to move funds into the Town's savings account, called a Stabilization Fund. This is a fund designed to accumulate amounts for capital and other future spending purposes, although it may be appropriated for any lawful purpose (MGL Ch. 40 §5B). Communities may establish one or more stabilization funds for different purposes and may appropriate into them in any year an amount not to exceed ten percent of the prior year's tax levy (In North Andover's case that limit would be \$5.8MM in FY12). Any interest shall be added to and become a part of the funds. A two-thirds vote of town meeting is required to establish, amend the purpose of, or appropriate money from the stabilization fund.

Article 33. Transfer to OPEB (Other Post Employment Benefits Liability Trust Fund). To see if the Town will vote to transfer funds into the OPEB (Other Post Employment Benefits Liability Trust Fund);

Or to take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation:

Finance Committee Recommendation:

Favorable Action

Unfavorable Action

Vote Required: Two-third (2/3) Vote

Article 34. Amend North Andover Zoning Bylaw – Section 8.1.4(a) Off-Street Parking General Requirements. To see if the Town will vote to amend the Town of North Andover Zoning Bylaw, Section 8.1.4(a) Off-Street Parking General Requirements in order to allow seasonal outside seating to not counts towards the parking requirements.

Amend Section 8.1.4(a) by adding Note 8 to the use table as follows:

Notes:

8. Seasonal outside seating for food establishments shall be exempt from Section (a) of this regulation as long as the seating does not exceed 25% of the indoor seating or a total of twenty outdoor (20) seats, whichever is greater;

And further that the non-substantive changes to the numbering of this bylaw by the Town Clerk be permitted in order that it be in compliance with the numbering format of the Zoning Bylaws of the Town of North Andover.

Or to take any other action relative thereto.

Planning Board

Board of Selectmen Recommendation:

Planning Board Recommendation:

Favorable Action

Favorable Action

Vote Required: Two-third (2/3) Vote

Article 35. Amend North Andover Zoning Bylaw – Section 4.135 Industrial “S” District.

To see if the Town will vote to amend the Town of North Andover Zoning Bylaw, Section 4.135 in order to allow retail stores that are an accessory use to warehousing or wholesaling.

Amend Section 4.135 by adding the underlined language and deleting the stricken language to read as follows:

4.135 Industrial “S” District

8. Premises of a bank, post office, telephone exchange or telephone business office, local bus passenger station, or business office buildings. By Special Permit, an automobile service or filling station, a diner, a restaurant, a retail food store, **and retail stores that are accessory to the principal use**, but no other retail stores of any kind.

(Proposed Zoning Bylaw amendment to allow additional retail uses within the Industrial “S” Zone)

And further that the non-substantive changes to the numbering of this bylaw by the Town Clerk be permitted in order that it be in compliance with the numbering format of the Zoning Bylaws of the Town of North Andover.

Or to take any other action relative thereto.

Planning Board

Board of Selectmen Recommendation:

Planning Board Recommendation:

Favorable Action

Favorable Action

Vote Required: Two-third (2/3) Vote

Article 36. Amend North Andover Zoning Map -1018 Osgood Street-Assessors Map 35-Parcel 19 from Industrial 2 (I2) to Business 2 (B-2). To see if the Town will vote to amend the Town of North Andover Zoning Map, Assessor's Map 35 Parcel 19 from Industrial-2 to Business-2;

or to take any other action relative thereto.



Planning Board

Board of Selectmen Recommendation:

Planning Board Recommendation:

Favorable Action

Favorable Action

Vote Required: Two-third (2/3) Vote

Article 37. Amend North Andover Zoning Bylaw – Section 4.137 Floodplain District. To see if the Town will vote to amend the Town of North Andover Zoning Bylaw, Section 4.137 Floodplain District in order to make minor adjustments so that the Bylaw accurately reflects the date of the newly adopted flood maps.

Amend Section 4.137 by adding the underlined language and removing the text shown as stricken to read as follows:

4.137 Floodplain District

1. STATEMENT OF PURPOSE

The purpose of the floodplain District is to:

- a. Ensure public safety through reducing the threats to life and personal injury.
- b. Eliminate new hazards to emergency response officials;
- c. Prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding.
- d. Avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding;
- e. Eliminate costs associated with the response and cleanup of flooding conditions;
- f. Reduce damage to public and private property resulting from flooding waters.

2. FLOODPLAIN DISTRICT BOUNDARIES AND BASE FLOOD ELEVATION AND FLOODWAY DATA

The Flood Plain District is herein established as an overlay district and includes all special flood hazard areas within the Town of North Andover designated as Zone A and AE on the Essex County Flood Insurance Rate Maps (FIRMs) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Essex County FIRMs that are wholly or partially within the Town of North Andover are panel numbers 25009C0207F, 25009C0209F, 25009C0217F, 25009C0226F, 25009C0227F, 25009C0228F, 25009C0229F, 25009C0233F, 25009C0236F, 25009C0237F, 25009C0238F, 25009C0239F, 25009C0241F, 25009C0242F, 25009C0243F, 25009C0244F, 25009C0377F and 25009C0381F, dated July 3, 2012. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Essex County Flood Insurance Study (FIS) report dated July 3, 2012. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Official and Conservation Commission.

3. BASE FLOOD ELEVATION AND FLOODWAY DATA

- a. **Floodway Data.** In Zone A~~[, AH, A99]~~ and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local or other floodway data as determined by the Building Inspector, in consultation with the Director of the Division of Public Works, shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.
- b. **Base Flood Elevation Data.** Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones.

- c. Areas designated as flood plain on the North Andover Flood Insurance Rate Maps may be determined to be outside the flood plain district by the Building Inspector, in consultation with the Director of the Division of Public Works, if an accurate topographic and property line survey of the area conducted by a registered professional engineer or land surveyor shows that the flood plain contour elevation does not occur in any area of proposed buildings, structures, improvements, excavation, filling, paving, or other work activity. The person requesting the determination shall provide any other information deemed necessary by the Building Inspector, in consultation with the Director of Division of Public Works to make that determination. If the Building Inspector, in consultation with the Director of the Division of Public Works, determines that the Flood Insurance Rate Maps are in error, the subject area shall not be regulated as occurring within the Flood Plain District, and any such determination shall be noted on the Flood Insurance Rate Maps. Nothing in this section shall prohibit the Conservation Commission, Board of Health, or other Town officials or Board from making non-zoning determinations of the flood plain or performing their official duties.

4. NOTIFICATION OF WATERCOURSE ALTERATION

If a landowner or project proponent proposes to alter or relocate any watercourse, that person shall notify the following parties and provide evidence of such notification to every town board or official who has jurisdiction over such alteration or relocation prior to or at the time of applying for any approval that is required to perform such alteration or relocation:

- a. Notify in a riverine situation, the following of any alteration or relocation of a watercourse:
 1. Adjacent Communities
 - ~~2. [Bordering States]~~
 3. NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
251 Causeway Street Suite 600-700
Boston, MA 02114-2104
 4. NFIP Program Specialist
Federal Emergency Management Agency, Region I
99 High Street, 6th Floor
Boston, MA 02110

5. REFERENCE TO EXISTING REGULATIONS

The Floodplain District is established as an overlay district to all other districts. All development in the district, including structural and non-structural activities, whether permitted by right or by special permit must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following:

- a. Section of the Massachusetts State Building Code which addresses Floodplain and coastal high hazard areas (currently 780 CMR 120.G);
- b. Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
- c. Inland Wetlands Restriction, DEP (currently 310 CMR 13.00);
- ~~d. [Coastal Wetlands Restriction, DEP (currently 310 CMR 12.00);]~~

- e. Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5);
- f. Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.

6. OTHER USE/DEVELOPMENT REGULATIONS

- a. ~~[Within zones AH and AO on the FIRM, adequate drainage paths are required around structures on slopes, to guide floodwaters around and away from proposed structures.]~~
- b. Within Zone[s ~~A1-30 and~~] AE, along watercourses that have a regulatory floodway within the Town of North Andover, on the Essex County FIRMs dated July 3, 2012; encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge. However, a registered professional engineer may provide proof and certification to the Building Commissioner, in conjunction with the Director of the Division of Public Works, demonstrating that such encroachments shall not increase flood levels during the occurrence of the 100 year flood, and if both the Building Commissioner, in conjunction with the Director of the Division Public Works approve this certification, such encroachments shall not be deemed to be prohibited.
- c. All subdivision proposals filed in accordance with M.G.L. Chapter 41, Section 81S and 81T [or any revisions to the subdivision control law referencing the submission of preliminary or definitive subdivision plans], respectively shall be designed so that:
 - 1. Such proposals minimize flood damage;
 - 2. All public utilities and facilities are located and constructed to minimize or eliminate flood damage; and
 - 3. Adequate drainage is provided to reduce exposure to flood hazards.
 - 4. Existing contour intervals of site and elevations of existing structures must be included on plan proposal;
 - 5. The applicant shall circulate or transmit one copy of the development plan to the Conservation Commission, Planning Board, Board of Health, Town Engineer, and Building Commissioner for comments which will be considered by the appropriate permitting board prior to issuing applicable permits.

Proposed maps are on file in the Office of the Town Clerk and the Conservation Commission Office and on the Town's web site.

And further that the non-substantive changes to the numbering of this bylaw by the Town Clerk be permitted in order that it be in compliance with the numbering format of the Zoning Bylaws of the Town of North Andover.

Or to take any other action relative thereto.

Planning Board

**Board of Selectmen Recommendation:
Planning Board Recommendation:**

**Favorable Action
Favorable Action**

Vote Required: Two-third (2/3) Vote

Article 38. Amend Section 16.2 of the Zoning Bylaw- Allow Drive-thru Restaurants in CDD1 District. To see if the Town will vote to amend Section 16.2 of the Town of North Andover Zoning Bylaws, in the Corridor Development District 1 (CDD1) by inserting the following language:

" Drive-thru restaurants shall be permitted within the CDD1 zone provided that they are located more than 250 feet from the R6 zoned district."

And further that the non-substantive changes to the numbering of this bylaw by the Town Clerk be permitted in order that it be in compliance with the numbering format of the Zoning Bylaws of the Town of North Andover.

Or to take any other action relative thereto.

Board of Selectmen

**Board of Selectmen Recommendation:
Planning Board Recommendation:**

**Favorable Action
Favorable Action**

Vote Required: Two-third (2/3) Vote

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this 21st day of May in the Year Two-Thousand Twelve.


Tracy M. Watson, Chairman


William F. Gordon


Rosemary Connelly Smedile


Donald B. Stewart


Richard M. Vaillancourt

SELECTMEN OF NORTH ANDOVER

And you are directed to serve this Warrant by posting true and attested copies thereof in the Town Office Building and one public place in each voting precinct in the Town, said copies to be posted not less than (14) fourteen days before the time of said meeting.

Constable

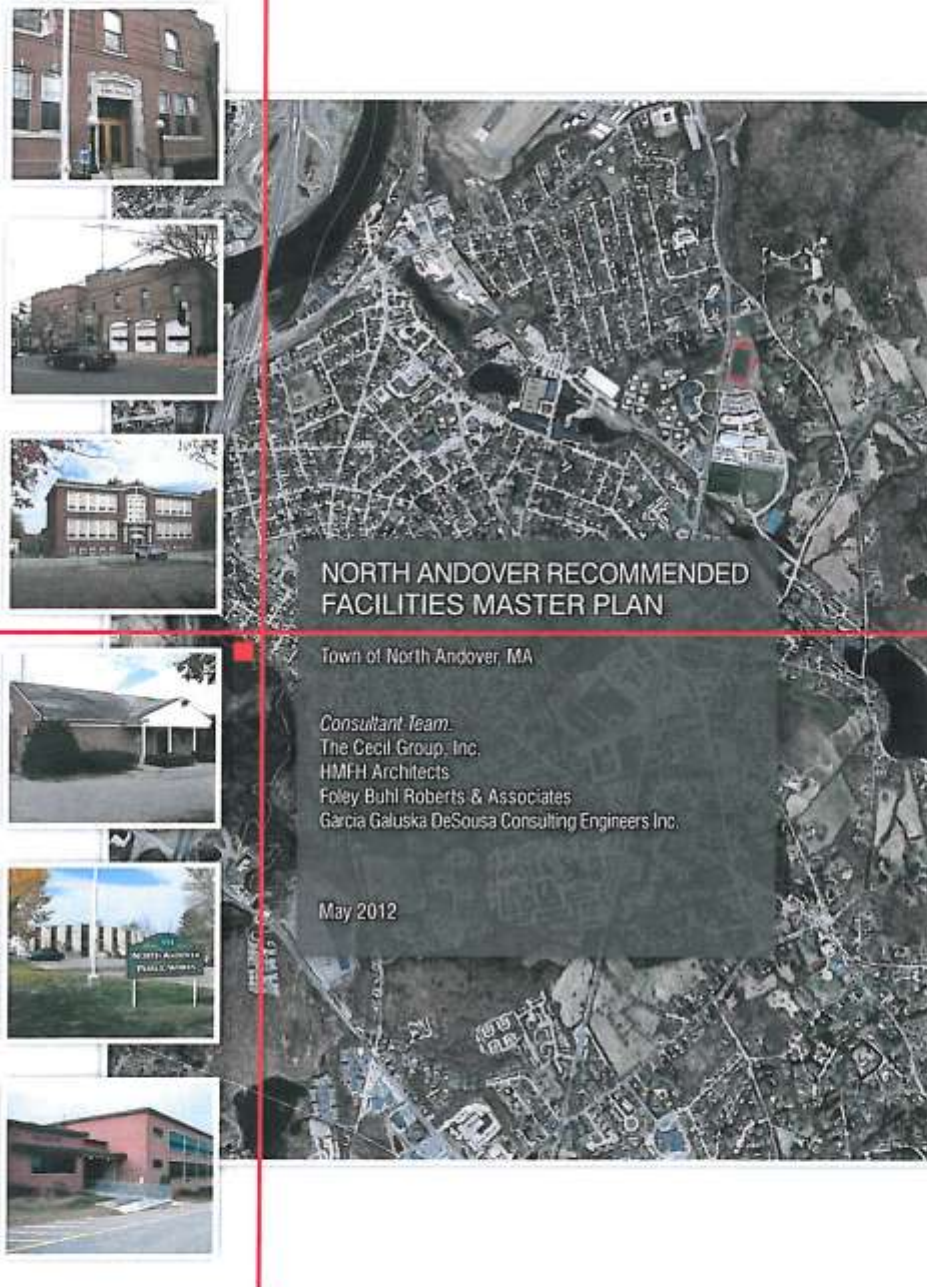
Date


A True Copy Attest - Joyce A. Bradshaw, Town Clerk

OFFICER'S RETURN

Pursuant to the foregoing warrant, I have warned and notified the inhabitants of the Town of North Andover who are qualified to vote in town affairs to be at the time and place for the purpose mentioned within by posting true and attested copies thereof at the Town office building and one public place in each voting precinct in the Town at least (14) fourteen days before the date of said meeting.

APPENDIX A



Executive Summary

This Municipal Facilities Master Plan aims to provide North Andover with a comprehensive approach to municipal facilities planning that will improve and consolidate general municipal and school offices while enhancing the town's delivery of services to the public. The plan describes different ways to achieve these ends, taking into consideration past decisions and current conditions regarding the leasing of private space for town offices; the vacating of the old Police Station and former Bradford Street School; the increasing demand for senior services; and the distribution of public works and public safety facilities.

This plan did not consider all municipal buildings or all municipal offices in the community. The scope of this plan was in strict accordance with North Andover's request for quotation and specifically addressed the buildings noted below. This plan does address what are considered the most vital changes in needs for offices and services and the disposition of vacant municipal buildings.

Project Goals

Based on feedback from meetings with department heads and the general public as well as a review of previous facilities reports and deliberations with the community's Facilities Master Plan Committee, this plan set the following goals:

- Promote municipal efficiency in the delivery of public services;
- Move the School Administration and Community Development offices to new location in municipally-owned properties, thereby eliminating rental costs;
- Rehabilitate and reuse existing municipally-owned buildings to the extent possible, particularly for public service delivery;
- Remain within Capital Program financial expenditure guidelines;
- Utilize Community Preservation Act funds for historic preservation of renovated buildings;
- Promote economic activity in Downtown North Andover while consistent with municipal building reuse goals;
- Keep the Senior Center with its associated facility activities in the Downtown.

Assessments of Buildings and Department Needs

The initial stages of the study entailed a comprehensive review of certain municipal buildings. This included building walk-throughs with a complement of building architects and engineers to assess building conditions using non-invasive techniques. The buildings reviewed were:

- Bradstreet School
- Former Police Station
- Fire Station Headquarters
- Public Works Facility

In addition, the team's architects reviewed the Senior Center and the School Department's capital improvement program and enrollment projections for the public schools.

What were gleaned from these evaluations were certain key observations:

- The Bradstreet School is in reasonable condition for renovation and reuse and could provide a significant area of floor space within the Downtown.

- The former Police Station has an open floor plan on a good-sized site located near to several schools and is suitable for municipal offices;
- Fire Station Headquarters is an historic building in an important location on Main Street, but it requires significant upgrades for continued- or re-use;
- The Public Works Facility garage is in reasonable condition, but the attached offices spaces and the site are in need of a number of improvements for safety and access;
- The Senior Center provides good quality space that could be converted into other municipal spaces;
- The Town's public schools are appropriately programmed for spaces, and while improvements and potential expansions may be needed, a new, separate school is not required.

In addition, Needs Assessments were completed for certain departments and agencies that were considered likely to require a move or improved space based on existing conditions and information provided to the study team. The assessments included written surveys, interviews, and existing space utilization evaluations. These assessments were used to determine how much space was needed for the following entities and their programs:

- Elder Services/Senior Center
 - North Andover Thrift Shop
- Community Development Division
 - Health
 - Planning
 - Building
 - Conservation
- School Department Offices
- Public Works
- Fire Department
- Emergency Management
- Information Technology

The Recommended Scenario

After considering the opportunities and alternatives presently available together with their costs, a recommended scenario was formulated for the realignment of spaces, offices and buildings that best meets the project goals. The recommended scenario is a program of renovation, relocation and new construction extended over a period of years organized as a phased implementation of the plan. It builds off of four alternative scenarios and factors in financial considerations, including the Town's Capital Improvement Plan projections and the amount of non-excluded debt available each year based on Town policies. The recommended scenario strives to address the Town's most critical needs first, such as the need to find a new home for the School Department Offices, which currently leases space at approximately \$100,000 per year and the Planning and Community Development Division which only has a few more years of free rent remaining per North Andover's agreement with Ozzie Properties.

Subsequently, Planning and Community Development will be subject to market lease costs. The major elements of the recommended scenario are as follows:

Table ES.1 Recommended Scenario

Phase	Action	Future Use	Initial Cost Estimate
1 st	Renovation of former Police Station	School Administration	\$2,695,000
2 nd	Construction of new Gym at Kittredge School	Existing Use	\$800,000
3 rd	Construction of new Fire Station	Fire Department and Emergency Management	\$6,600,000
4 th	Renovation of former Fire Headquarters	Community Development Office	\$4,377,670
5 th	Expansion of Senior Center	Senior Center (and Thrift Shop)	\$4,321,000
6 th	Renovation of new school classrooms	Existing Use	\$1,000,000
7 th	Improvements to Public Works Garage site and Offices	Existing Use	\$4,595,800
Total: Project Cost Estimate			\$24,489,470
Phase	Cost Recovery	Future Use	Value
1 st	Terminate lease of space for School Department offices at 1600 Osgood Street	Commercial office space	Lease cost reduction and Tax base increase
4 th	Terminate lease of space for Community Development offices at 1600 Osgood Street	Commercial office space	Lease cost reduction and Tax base increase

While this scenario is recommended, there are other options to consider while making these long-lasting decisions. One option is to renovate Bradstreet School instead of expanding the existing Senior Center; this would increase the Total Project Cost Estimate from \$24,489,470 to \$29,534,533.

This report provides further detail on the alternatives.

APPENDIX B

Executive Summary

The Merrimack Valley Planning Commission (MVPC) issued a Request for Qualifications (RFQ) to Energy Service Companies (ESCOs) to provide for Comprehensive Energy Management Services for its member communities. Ameresco submitted a proposal and was subsequently awarded the contract.

The program utilizes a multiple step design/development process beginning with a preliminary energy assessment (PEA) and followed by a refined and detailed Investment Grade Audit (IGA). This IGA is a key step in developing a successful energy savings and infrastructure improvement project focusing on the exact needs and desires of the Town. The purpose of the IGA is to analyze and quantify the feasibility of installing certain improvements or energy conservation measures (ECMs) throughout the Town. The IGA will form the basis for the subsequent Energy Services Agreement (ESA) which will enable the design and construction phase.

The IGA quantifies how the Town will be able to reduce utility costs nearly \$400,000 annually, through the acquisition of just over \$4 million dollars in capital improvements, net of projected utility company rebates. This investment however, will not require any up-front capital by the Town. The Town will achieve these improvements via a Performance Contract designed to extract energy inefficiencies in the current utility operating budgets to self-fund the project from future energy savings. Payment will be made over time utilizing Ameresco's guaranteed annual energy savings for security. The initial capital investment does not exceed the available energy cost savings over a 20-year period as stipulated by MGL Chapter 25A governing procurement via a Performance Contract.



Table ES.1

Total Project Investment:	\$4,276,031
Utility Rebates:	\$(275,832)
Net Project Cost:	\$4,000,199
Guaranteed Cost Savings (1 st year)	\$378,568
Net Excess Cumulative Cash Flow (over 13 year term)	\$208,217

Originally, Ameresco performed a preliminary audit (PEA) on forty-four (44) buildings throughout the Town, including (8) school buildings and (36) municipal facilities. The Town's total utility cost for FY 2011 was \$2,288,893. After review of the facilities with Town personnel, the Town narrowed down the list to sixteen (16) facilities to focus on in the IGA. The list consists of eight (8) school buildings and eight (8) Town facilities.

Facility Name	Occupied Area (SF)
Town Hall	14,625
Senior Center	7,640
Youth Center	14,693
Library	0
DPW Headquarters	21,960
Police Station	19,477
Fire Station 1	10,024
Fire Station 2	6,201
Atkinson ES	43,900
Franklin ES	48,350
Kittredge ES	27,000
North Andover HS	308,549
North Andover MS	137,455
Annie L. Sargent ES	71,065
Pre-School Building	13,110
Thomson ES	41,050
Totals	790,099

As part of the IGA, Ameresco developed an energy baseline for each included facility. The baseline developed for each building is based on fiscal year FY 2011 utility data. The total utility usage was 6,241,761 kWh of electricity, 455,420 Therms of natural gas and 9,745 CCF of water and sewer. The total utility cost for these buildings was \$1,671,279.

A wide-range of energy conservation measures (ECMs) were identified, evaluated, and presented for consideration in the PEA. The comprehensive development process of the IGA included input from Town personnel in order to refine the ECMs and overall scope of the project to match the infrastructure need of the facilities. This IGA outlines and describes 18 distinct ECMs across all facilities as listed in the matrix on the following page.

Table ES-2: ECM Matrix

Town of North Andover Phase 2																						
Energy Conservation Measures (ECMs)																						
Facility	1	2	3	4	5	7	8	9	10	11	12	13	16a	16b	18	19	20	21				
Town Hall	X			X				X														
Senior Center				X																		
Youth Center	X	X		X				X				X										
Library	X							X													X	
DPW Headquarters				X				X			X										X	
Police Station				X		X		X		X											X	
Fire Station 1																						
Fire Station 2	X		X		X			X	X												X	
Stevens Estate Main House																						
Water Treatment Plant																						
Low Lift Pump Station																						
Adkinson ES	X	X	X	X			X	X					X	X		X						
Franklin ES	X	X	X	X		X	X	X					X	X	X	X	X					
Kittredge ES	X	X	X	X			X	X								X						
North Andover HS	X			X				X														
North Andover MS				X		X		X														
Annie I. Sargent ES	X	X		X				X										X	X			
Pre-School Building	X			X															X	X		
Thomson ES	X	X		X		X		X										X	X			

Town of North Andover Phase 2 Energy Conservation Measures (ECMs)																						
Facility	1	2	3	4	5	7	8		9	10	11	12	13	16a	16b	18	19	20	21			
	X			X					X													
Town Hall	X			X					X													
Senior Center	X			X					X													
Youth Center	X	X		X					X				X									
Library	X								X													
DPW Headquarters				X					X			X										
Police Station				X		X			X		X											
Fire Station 1																						
Fire Station 2	X		X		X				X													
Stevens Estate Main House										X												
Water Treatment Plant																						
Low Lift Pump Station																						
Adkinson ES	X	X	X	X			X		X					X	X		X					
Franklin ES	X	X	X	X		X	X		X					X	X	X	X					
Kittredge ES	X	X	X	X			X		X					X			X					
North Andover HS	X	X		X					X													
North Andover MS				X		X			X													
Annie L Sargent ES	X	X		X					X										X	X		
Pre-School Building	X			X																X	X	
Thomson ES	X	X		X		X			X										X	X		

Table ES-3: Cost and Savings by Measure

Town of North Andover Phase 2											
Project Savings Summary											
ECM #	ECM Name	Annual kW	Total kWh	Natural Gas (Therms)	Water (CCF)	Sewer (CCF)	Energy Savings	O&M Savings	Total Project Savings	Total Project Costs	SPB
1	Lighting System Improvements	2,131	483,874	(4,266)	-	-	\$ 72,414	\$ 9,644	\$ 82,058	\$ 829,873	10.11
2	Lighting Controls	-	169,851	(1,514)	-	-	\$ 22,008	\$ -	\$ 22,008	\$ 236,912	10.76
3	Domestic Water Conservation	-	-	-	881	881	\$ 12,127	\$ -	\$ 12,127	\$ 57,988	4.78
4	New Energy Management Systems	-	205,366	117,353	-	-	\$ 160,325	\$ -	\$ 160,325	\$ 1,648,604	9.13
5	Boiler Replacement	-	-	342	-	-	\$ 493	\$ -	\$ 493	\$ 45,536	92.86
7	Variable Frequency Drives	-	70,808	-	-	-	\$ 10,549	\$ -	\$ 10,549	\$ 72,100	8.64
8	Replace Steam Traps	-	-	5,632	-	-	\$ 7,573	\$ -	\$ 7,573	\$ 59,496	5.22
9	Weatherization Improvements	-	1,236	13,108	-	-	\$ 17,000	\$ -	\$ 17,000	\$ 110,361	8.49
10	Replace Overhead Doors	-	-	245	-	-	\$ 353	\$ -	\$ 353	\$ 3,525	9.39
11	Replace Rooftop Unit	-	(15,622)	4,331	-	-	\$ 3,126	\$ -	\$ 3,126	\$ 151,781	48.36
12	Replace Furnaces	-	-	167	-	-	\$ 216	\$ -	\$ 216	\$ 30,218	139.67
13	Vending Machine Controls	-	3,647	(56)	-	-	\$ 426	\$ -	\$ 426	\$ 642	1.51
16a	Pipe Insulation - Base LPS and CR piping, only	-	-	8,478	-	-	\$ 8,268	\$ -	\$ 8,268	\$ 103,473	12.51
16b	Pipe Insulation - Add Alternate Insulated LPS and CR piping	-	-	5,358	-	-	\$ 6,814	\$ -	\$ 6,814	\$ 68,484	10.20
18	Replace Calcium AHU	-	-	19	-	-	\$ 24	\$ -	\$ 24	\$ 73,078	3,056.64
19	Replace Unit Ventilations	-	-	554	-	-	\$ 711	\$ -	\$ 711	\$ 371,729	522.84
20	DOC Controls Expansion	-	-	2,404	-	-	\$ 3,057	\$ -	\$ 3,057	\$ 302,317	98.85
21	Exterior Lighting Improvements	-	81,356	-	-	-	\$ 12,108	\$ 306	\$ 12,414	\$ 130,426	16.51
		2,131	999,317	150,456	881	881	\$ 357,592	\$ 9,950	\$ 367,542	\$ 4,278,031	11.83

Table ES-4: Project Pro-Forma

Town of North Andover Phase 2 - Pro-Forma

Initial Project Costs:	
Design and Construction	
Rehabilitation costs	\$ 4,276,031
Total Initial Project Costs	\$ 4,276,031
Utility Repairs	
	\$ 275,832
Net Project Costs after rebates	\$ 4,000,199

Financial Assumptions	
Term of Project (yrs)	15.0 yrs
Term of Financing (yrs)	15.0 yrs
Estimated Financing Rate	2.75%
Payments per year (frequency)	4
Discount Rate	3.75%
Average Energy escalation rate (annual)	3.00%
Average Cost escalation rate (annual)	3.00%
Project Simple Payback	11.63

	Initial Values	Year									
		1	2	3	4	5	6	7	8	9	10
1 Annual energy costs without improvements	\$ 2,385,892	\$ 2,357,560	\$ 2,428,287	\$ 2,501,135	\$ 2,576,166	\$ 2,653,454	\$ 2,733,268	\$ 2,815,050	\$ 2,899,501	\$ 2,986,486	\$ 3,076,261
2 Annual energy costs with improvements	\$ 1,931,302	\$ 1,689,241	\$ 2,048,918	\$ 2,110,385	\$ 2,173,697	\$ 2,238,908	\$ 2,306,075	\$ 2,375,257	\$ 2,446,515	\$ 2,519,912	\$ 2,595,509
3 Annual energy cost savings (1-2)	\$ 357,592	\$ 368,319	\$ 379,369	\$ 390,750	\$ 402,472	\$ 414,547	\$ 428,023	\$ 438,792	\$ 450,986	\$ 462,576	\$ 478,573
4 O&M Savings	\$ 8,560	\$ 10,349	\$ 10,546	\$ 10,825	\$ 11,199	\$ 11,535	\$ 11,831	\$ 12,225	\$ 12,604	\$ 12,967	\$ 13,372
5 Total Project Savings	\$ 367,542	\$ 378,668	\$ 389,925	\$ 401,623	\$ 413,671	\$ 426,081	\$ 438,864	\$ 452,030	\$ 465,591	\$ 478,556	\$ 493,945
6 Payments for financing equipment	\$ 317,475	\$ 327,475	\$ 337,475	\$ 347,475	\$ 357,475	\$ 367,475	\$ 377,475	\$ 387,475	\$ 397,475	\$ 407,475	\$ 417,475
7 Payments for ongoing services	\$ 13,891	\$ 14,307	\$ 14,737	\$ 15,179	\$ 15,634	\$ 16,103	\$ 16,586	\$ 17,084	\$ 17,596	\$ 18,124	\$ 18,668
7A Allowance for separately contracted maintenance	\$ 50,000	\$ 30,900	\$ 31,827	\$ 32,782	\$ 33,765	\$ 34,778	\$ 35,822	\$ 36,896	\$ 38,003	\$ 39,143	\$ 40,317
8 Net annual benefits	\$ 15,886	\$ 15,886	\$ 15,886	\$ 15,886	\$ 15,886	\$ 15,886	\$ 15,886	\$ 15,886	\$ 15,886	\$ 15,886	\$ 15,886
9 Cumulative cash flow	\$ 208,217	\$ 15,886	\$ 31,771	\$ 47,657	\$ 63,543	\$ 79,429	\$ 95,314	\$ 111,200	\$ 127,086	\$ 142,972	\$ 158,857
10 Net Present Value of cash flow	\$ 172,890										
11 Interest Rate	2.75%										
12 Discount Rate	3.75%										

Line #	11	12	13	Totals
1	\$ 3,183,363	\$ 3,263,414	\$ 3,361,317	\$ 36,819,876
2	\$ 2,673,373	\$ 2,753,574	\$ 2,836,181	\$ 31,087,542
3	\$ 494,980	\$ 509,840	\$ 525,135	\$ 5,932,533
4	\$ 13,773	\$ 14,188	\$ 14,812	\$ 180,059
5	\$ 608,783	\$ 524,026	\$ 509,747	\$ 5,912,362
6	\$ 432,123	\$ 445,563	\$ 459,406	\$ 4,999,837
7	\$ 19,228	\$ 19,805	\$ 20,369	\$ 223,451
7A	\$ 41,537	\$ 42,773	\$ 44,068	\$ 482,590
8	\$ 15,886	\$ 16,737	\$ 16,737	\$ 208,217
9	\$ 174,743	\$ 191,480	\$ 208,217	

Notes:

1. This Proforma Cash Flow reflects an estimated tax exempt financing rate of 2.75%. The actual rate will increase or decrease based on market conditions and customer credit rating at the time of financing.
2. Savings are based on current utility rate structures and usage information provided for purposes of this project.

Investment Grade Audit

Energy Conservation Measures

The following ECM descriptions are intended to provide a high level overview. In general the ECMs are designed to deliver many technical, financial, and environmental benefits to the Town that include:

- Better learning and working environment for students and staff;
- Improved energy efficiency and operation of existing systems;
- New energy efficient equipment and systems;
- Performance Guarantee of energy savings; and
- Reduction of Greenhouse gasses and emissions.

ECM 1: Lighting System Improvements

Ameresco's in-house lighting experts completed a detailed survey of all the Town's facilities. Ameresco proposes to replace or upgrade 5,455 existing fixtures with state-of-the-art lighting systems which will enhance the quality, consistency, and color rendering of the lighting throughout the Town, while meeting all applicable codes and standards.

Ameresco standardized the lighting system where practical, reducing the number of different products that must be purchased, stocked and maintained. Most fixtures replaced or retrofitted with 4' T8 lamps will receive 28-watt "energy-efficient" lamps and ballasts. This premium combination yields maximum energy savings without sacrificing light output or quality. These 28-watt lamps use a superior mix of phosphors that allow them to consume less energy while matching the light output of standard T8's. The 28-watt lamp also maintains light output better than T12 and typical T8 lamps. Many retrofits will include new reflectors designed to improve fixture efficiency. Some will also receive new acrylic lenses. Certain fixtures that have reached the end of their service life will be replaced. Several hundred Compact Fluorescent Lamps and LED retrofit lamps will be installed in recessed cans, as well as, exit signs not containing LED technology will be replaced with new LED signs with battery backup, thereby ensuring the sign will illuminate in the event of a power outage and/or generator failure.



Figure 1.1: New fixtures will improve aesthetics, and save substantial energy.

ECM 2: Lighting Controls

Ameresco proposes to install new lighting controls in the North Andover buildings to ensure that lighting does not operate unnecessarily. Energy waste occurs when a fixture is energized but not used and when illuminance exceeds what is necessary for task performance. Ameresco noted many occupants are not careful about turning off lights when they leave the room, making automated controls advantageous. The majority of existing lighting controls are standard toggle style switches, but we noted the pre-school was the only building to have existing occupancy sensors.



Figure 2.1: Fixture sensors will shut off the new lights when not in use, saving a significant amount of energy.

Ameresco will install almost 672 local lighting controls employing a variety of strategies, each of which was customized to the unique space. We selected appropriate areas that contain several controllable fixtures, which have intermittent occupancy, and where a safety hazard will not be created if the sensor inadvertently turns the lights off. Applicable areas include classrooms, offices, baths, the cafeteria, and the library.

ECM 3: Domestic Water Conservation

Ameresco proposes to replace existing standard flow water fixtures at Fire Station 2, Atkinson Elementary School, Franklin Elementary School, and Kittredge Elementary School with low-flow water fixtures. This ECM includes replacing existing standard consumption toilets with low consumption models, retrofitting urinals with low consumption flush valves and retrofitting lavatory faucets with low-flow aerators.



Figure 3.1: Existing Toilet at Franklin Elementary School.

ECM 4: New Energy Management Systems

Ameresco proposes to implement or upgrade direct digital control (DDC) energy management systems (EMS) at North Andover's municipal and school buildings. This will unite the heating, ventilating, and air conditioning (HVAC) systems of Town Hall, the Senior Center, the Youth Center, the Police Station, and all of the schools into a single monitoring and control system accessible by authorized users using an Internet browser from anywhere. Ameresco will also equip other municipal buildings with improved, energy-saving, local controls.

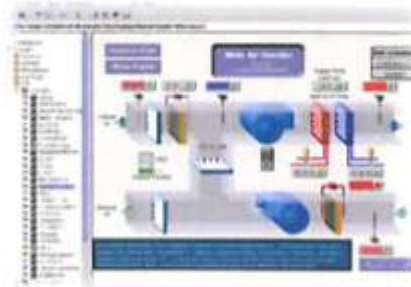


Figure 4.1: The new EMS will be integrated and interoperable with the existing EMS and be web accessible. This is the typical graphical interface provided with the expanded and upgraded system.

Ameresco is proposing an “open protocol” energy management system with Tridium’s Niagara^{AX} Framework. The open protocol specification will allow the Town to connect products from almost any LonWorks[™] or BACnet vendor to the proposed system. Future upgrades and expansions can be competitively bid and will not be limited to the products of any one manufacturer. Ameresco has no commercial alliance with any EMS vendor and considers all applicable products. Ameresco believes the Town’s interests would be best served with open-protocol EMS architecture.

ECM 5: Boiler Replacement

Ameresco proposes to replace the 42-year-old boiler and appurtenances at Fire Station 2 with a high efficiency boiler. Since the apparatus floor was disconnected from the boiler, the boiler became more than twice as large as needed to heat just the living quarters. That made the modular design a liability, since the boiler’s cast iron construction requires continuous flow through both modules to avoid the thermal shock that would result from intermittent flow. In effect, the idle module becomes a radiator to the outdoors. Another contributor to the inefficiency of the existing system is the simplicity of the controls. When the thermostat in the living quarters starts the boiler, the boiler runs at full fire until the supply temperature reaches its operating limit, then stops until the supply temperature drops or the thermostat stops calling for heat.



Figure 5.1: Existing boiler at Fire Station 2.

ECM 7: Variable Frequency Drives

This measure installs variable frequency drives (VFDs) to improve performance and save energy in the Police Station ventilation system and for the heating systems at the Franklin, Thomson, and Middle Schools. The installation of VFDs and controls on these systems will allow them to modulate with varying load more efficiently than the existing methods of control, which will reduce electrical energy and to improve system efficiency.



Figure 7.1: One variable air volume damper like this on each floor (1st and 2nd) of the Police Station bypasses air from supply to return as a simple way of controlling the air pressure in the system.

ECM 8: Replace Steam Traps

Ameresco proposes to replace and/or repair steam traps at a number of buildings in the Town of North Andover. This measure will address nearly 200 existing steam traps, and the improvement will result in energy and maintenance cost savings for the Town. The proposed replacement and/or repair of steam traps will improve the overall steam use and heating system efficiencies.

Failed open steam traps permit steam to enter the condensate plumbing. This wasted steam is then vented through the condensate receivers. Steam traps that fail in the closed position restrict the flow of condensate to the return piping. Leaking steam traps typically go unnoticed because they have little effect on the terminal heating units. A typical problem report is for a failed closed, or cold, steam trap. This results in a high failure rate for the steam traps in the open position, resulting in substantial steam losses.



Figure 8.1: Replacing failed steam traps will provide the Town with more efficient and improved steam distribution systems.

ECM 9: Weatherization Improvements

Outdoor air infiltration can be a significant part of the load on a building's central heating and cooling systems. There are many sources of infiltration in a building's exterior envelope that can be considerably reduced with careful weatherstripping and air sealing methods. A few of the major sources of infiltration are exterior doors, windows, roofs and roof/wall interfaces.

Ameresco proposes to reduce uncontrolled air infiltration at a number of Town and school buildings. All will receive new door weatherstripping. A few will also receive new air sealing at windows, roof-wall interfaces, exterior wall penetrations, soffit penetrations, and attic penetrations. Most of the exterior doors in the school and Town buildings have poor weatherstripping. The new weatherstripping will greatly reduce heat loss and increase occupant by reducing drafts. At selected buildings, Ameresco proposes to install low-density foam sealant to the existing unsealed wall penetrations and roof-wall interfaces as outlined below. All of the buildings were surveyed and evaluated, but weatherization was excluded at some buildings due to long payback.



Figure 9.1: Roof-wall intersections like this one at the Atkinson School are often a source of air infiltration.

ECM 10: Replace Overhead Doors

The overhead door serving the basement of Fire Station 2 is one of the few overhead doors in Town buildings that are not relatively new, heavy-duty, and well-insulated. Ameresco proposes to replace the overhead door accessing the basement equipment storage area at Fire Station 2. The overhead doors identified in this measure are in very poor condition and have little if any thermal insulating properties. Replacing the identified overhead doors will greatly improve the overall thermal properties of the building envelope.



Figure 10.1: Uninsulated, residential-type overhead door at Fire Station 2.

ECM 11: Replace Rooftop Unit

When the North Andover Police Station was renovated in 2010, heating and ventilating rooftop unit HV-1 was installed to serve most of the previously unventilated basement. The locker room is equipped with high-security lockers to allow officers to store their weapons between shifts. However, the lack of dehumidification or cooling prevents them from doing so during much of the year since the humidity in the ventilation air causes the weapons to rust.

Ameresco proposes to replace the existing rooftop unit that serves most of the Police Station basement, including the locker rooms and exercise room. The new unit will provide badly-needed dehumidification and cooling to this area. It will also help to pay for itself by providing energy recovery ventilation. This solution is superior to simply providing separate cooling and dehumidification to the locker rooms and exercise room, as with ductless mini-split systems or a cooling coil in the supply duct. Those methods would simply add electric and gas energy use, while a unit with energy recovery can provide the added functions while conserving energy that is presently wasted for a net energy savings.



Figure 11.1: The existing rooftop unit on the left provides only heat and ventilation to the locker and exercise rooms, which are exhausted by the updraft fan in the middle.

ECM 12: Replace Furnaces

The existing 100,000 Btu/hr, gas-fired furnace at the DPW headquarters dates to the 1991 construction of the building and is at the end of its useful life. It has a thermal efficiency of only about 75%.

Ameresco proposes to replace the existing furnace with a 95% efficient furnace to heat the first floor office, conference room, rest rooms and the rear mezzanine office in DPW Headquarters, and create a second zone to control the heat provided to the recently added rear office area.



Figure 12.1: Existing furnace at DPW.

ECM 13: Vending Machine Controls

Ameresco proposes to install vending machine controllers on drink and snack vending machines at the Youth Center. Each controller will save energy used by the vending machine during unoccupied hours, without compromising product quality. The controller will use a sensor to detect when the space is unoccupied and turn off the vending machine.



Figure 13.1: Beverage and snack machines at the Youth Center

ECM 16: Pipe Insulation

The Kittredge Elementary School, Atkinson Elementary School and the original portions of the Franklin Elementary School are heated by steam. Steam and condensate is distributed beneath the first floors of these buildings through piping in "crawlspaces". Originally, the steam and condensate straight piping was insulated with fiberglass and the piping elbows and joints ("intersections") were insulated with an asbestos containing material (ACM). Subsequently, the ACM was removed, but the intersections were not re-insulated at Franklin or Atkinson. All insulation was removed at the Kittredge School. Portions of the straight piping insulation remain at Franklin and Atkinson, however, its thickness and support are inadequate.



Figure 16.1: Pipe elbows and intersections will be insulated and existing insulation be upgraded as in the Atkinson pipe trench.

Ameresco proposes to insulate all steam and condensate piping in the basement crawlspaces in the steam heated schools to energy code recommended levels. Uninsulated, or inadequately insulated, steam and condensate piping is the major source of uncontrolled heat gain in these schools and results in their overheating.

ECM 18: Replace Cafetorium AHU

The Franklin Elementary School's Cafetorium air handling unit and portions of its distribution system are proposed for replacement. The air handling unit's age is over 50 years old, original to the building. The unit's cabinet is deteriorated with internal and external corrosion. It has required frequent maintenance, the most recent being fan shaft replacement five years ago. Its air return grilles in the Cafetorium are damaged and not providing expected air flow. Ameresco will furnish and install a new high-efficiency air handling unit in place of the existing unit, AHU-1, serving the Cafetorium:



Figure 18.1: The Cafetorium AHU body is corroded.

ECM 19: Replace Unit Ventilators

Kittredge Elementary School (KES), Atkinson Elementary School (AES) and Franklin Elementary School (FES) are North Andover's oldest school buildings. Many instances of the original heating equipment in these schools remain in service. This equipment includes the heating and ventilation equipment in classrooms (classroom unit ventilators) and heating equipment in storage spaces and public areas (finned tube radiation and cabinet unit heaters). This equipment is capable of a relatively long service life with ongoing component replacements and maintenance. However, the oldest instances of this equipment, such as the unit ventilators in the original eight classrooms at Kittredge, are obsolete. Obsolescence means that component parts are unavailable, or available only as a special order at high cost. In other cases, heating and ventilating equipment has been chronically troublesome such as the kitchen unit ventilator and cabinet unit heaters at Atkinson, or dysfunctional for a substantial period of time such as the horizontal unit ventilator that serves the Art Room at Atkinson.



Figure 19.1: The eight original classroom unit ventilators at Kittredge will be replaced.

Ameresco proposes to replace, repair or install new heating and ventilating equipment in the steam heated elementary schools, Atkinson, Kittredge and Franklin. The scope includes replacement of selected unit ventilators, the addition of new heating and ventilation equipment in spaces which have been converted to classrooms from previously unoccupied uses and the repair of recessed cabinet unit heaters.

This renovation replaces obsolete, chronically problematic or dysfunctional units that will improve the environment for the occupants and satisfy the building code requirement for ventilation.

ECM 20: DDC Controls Expansion

Ameresco proposes to add additional direct digital controls (DDC) for the Sargent Elementary School and Thomson Elementary School. The scope includes the installation of DDC for heating ventilating and air-conditioning terminal unit equipment that is beyond the scope of ECM 4. This equipment primarily includes classroom unit ventilators (UVs), but also finned tube radiation (FTR) (baseboard) heating, reheat coils in ducts (RHCs) and other miscellaneous equipment. Pneumatic control equipment would be eliminated for these terminal units; pneumatic rehabilitation work for these terminal units described under ECM 4 would be eliminated by the implementation of this measure. Additionally, zone temperature sensors included in the scope of work of ECM 4 would be eliminated for these schools.



Figure 20.1: Pneumatic controls will be replaced by DDC at the Thomson School.

The benefits of extending DDC to classrooms and other zones include:

- Accurate and persistent control: once commissioned, DDC equipment preforms control functions more accurately over a longer duration;
- Remote access: remotely accessible control at the classroom improves diagnostics, and allows unoccupied reset, occupied override, and ventilation control at the classroom;
- Leveraging of skilled individuals across multiple buildings: because of remote access, trained operators will be able to respond quickly to comfort complaints and make manual adjustments as needed without the need for a site visit;
- Consistency of the standard of service policies: e.g. an allowed range of set points could be established on the school basis and occupants could be allowed a consistent temperature range;
- Documentation of zone conditions, including temperature and ventilation (CO2) histories;
- Improved energy savings through demand ventilation and greater flexibility with unoccupied temperature reset override.

ECM 21: Exterior Lighting Improvements

Ameresco will replace or upgrade approximately 173 exterior fixtures that will reduce energy use and enhance the quality of lighting. Metal Halide (MH) and High Pressure Sodium (HPS) fixtures with standard magnetic ballasts, as well as, Compact Fluorescents and Incandescent lamps will be replaced or retrofit with the latest technology LED exterior fixtures. These evolving lighting technologies offer vastly improved product lifetimes and provide optimum light levels wherever they are needed. Where HPS lamps exist the change from “yellow” to “white” light will make the exterior appear much brighter.



Figure 21.1: Exterior lighting systems will be replaced.

Summary

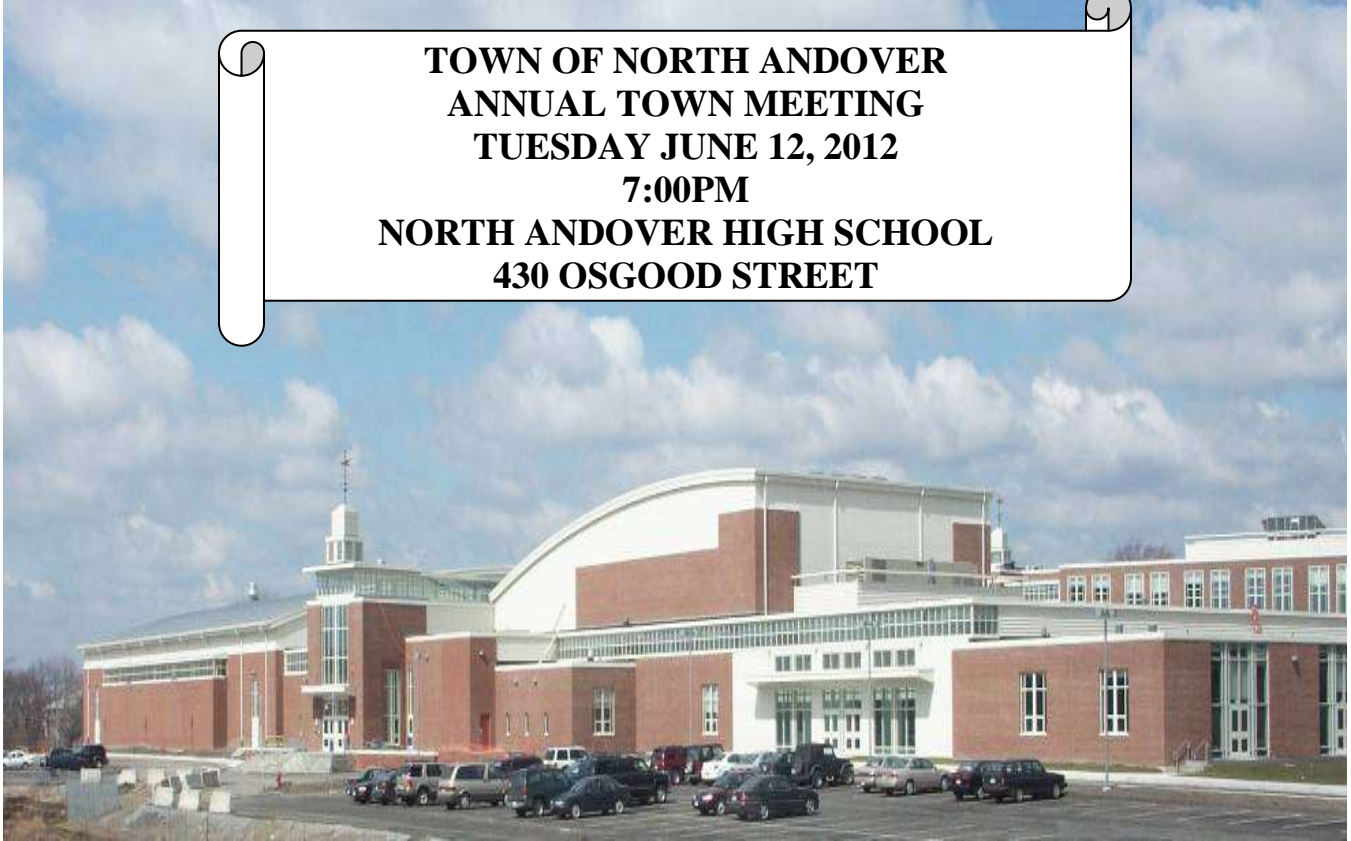
Ameresco has presented a complete and comprehensive IGA that addresses the needs of the Town and provides realistic solutions. The ECMs identified present very viable and needed solutions for the continued effective operations of the Town and School facilities. The final accepted IGA will form the basis for the scope-of-work under the subsequent ESA, whereby Ameresco will provide design, acquisition, installation, modification, commissioning and training for the ECMs as presented herein.

This is an important project for the Town and one that requires an Energy Services Company (ESCO) with significant expertise. The Ameresco team has extensive experience with Performance Contracting projects in the Merrimack Valley, throughout the Commonwealth and North America. We have the proven commitment, experience, resources, technical expertise and financial capability out of our corporate headquarters in nearby Framingham, to successfully execute this project over the full contract term. We are ready and eager to begin implementation so that the Town may secure current low cost financing and realize the overall benefit of improved facilities within the next 12 months.

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**PLEASE BRING THIS BOOKLET WITH YOU TO
TOWN MEETING!!**

**TOWN OF NORTH ANDOVER
ANNUAL TOWN MEETING
TUESDAY JUNE 12, 2012
7:00PM
NORTH ANDOVER HIGH SCHOOL
430 OSGOOD STREET**



Details on logistics and updated information will be posted on the Town's website, on the North Andover Cable Channel, and in our local newspapers.

Updates to the Finance Committee Report will be posted on the Town of North Andover website at www.townofnorthandover.com. If you need any special accommodations for the meeting please call the Town Clerk's office at (978)688-9502.

Please participate in this very important meeting!